



Arlington Zoning Board of Appeals

Date: Tuesday, August 9, 2022
Time: 7:30 PM
Location: Conducted by remote participation
Additional Details:

Agenda Items

Administrative Items

1. **Remote Participation Details**

In accordance with the Governor's Order Suspending Certain Provisions of the Open Meeting Law, G. L. c. 30A, § 20 relating to the COVID-19 emergency, the Arlington Zoning Board of Appeals meetings shall be physically closed to the public to avoid group congregation until further notice. The meeting shall instead be held virtually using Zoom.

Please read Governor Baker's Executive Order Suspending Certain Provision of Open Meeting Law for more information regarding virtual public hearings and meetings: <https://www.mass.gov/doc/open-meeting-law-order-march-12-2020/download>

You are invited to a Zoom meeting.
When: Aug 9, 2022 07:30 PM Eastern Time (US and Canada)

Register in advance for this meeting:
https://town-arlington-ma-us.zoom.us/meeting/register/tZUodumsqTMpGtaHWUrwbUKbOQ_Y8jHiZrfq

After registering, you will receive a confirmation email containing information about joining the meeting.

Meeting ID 815 1047 8302

Dial by your location
+1 312 626 6799 US (Chicago)
+1 646 876 9923 US (New York)
+1 646 931 3860 US
+1 301 715 8592 US (Washington DC)

2. **Members Vote: Approval of Written Decision for 38-40 Newport Street**
3. **Members Vote: Approval of Written Decision for 79 Ronald Road**

4. **Members Vote: Approval of Meeting Minutes from June 15, 2021**
5. **Members Vote: Approval of Meeting Minutes from March 22, 2022**
6. **Members Vote: Approval of Meeting Minutes from April 26, 2022**

Hearings

7. **Docket # 3705 : 24 Grandview Road**
8. **Docket # 3706 : 13-15 Adams Street**
9. **Docket # 3708 : 12 Prospect Avenue**

Meeting Adjourn



Town of Arlington, Massachusetts

Docket # 3705 : 24 Grandview Road

ATTACHMENTS:

Type	File Name	Description
▣ Reference Material	ZBA_Package__24_Grandview_Road.pdf	ZBA Package, 24 Grandview Road
▣ Reference Material	Application_for_Variance_24_Grandview_Rd.pdf	Application for Variance_24 Grandview Rd
▣ Memorandum	3705__24_Grandview_Rd.pdf	DPCD Memo, Docket 3705, 24 Grandview Rd



Town of Arlington
Zoning Board of Appeals
51 Grove Street
Arlington, Massachusetts 02476
781-316-3396
www.arlingtonma.gov

LEGAL NOTICE

Notice is herewith given in accordance with the provisions of Section 3.2.3A of the Zoning Bylaws that there has been filed by **Ryan and Devon Thomas** of Arlington, Massachusetts on July 1, 2022, a petition seeking permission to alter their property located at **24 Grandview Road- Block Plan 150.0-0008-0001.0** Said petition would require a Variance under **Section 5.4.2 Dimensional and Density Requirements** of the Zoning Bylaw for the Town of Arlington.

A hearing in regards to the petition will be conducted on **Tuesday evening August 9, 2022 at 7:30 P.M or as soon thereafter as the petitioner may be heard.** For the location and or “Zoom” information, visit the ZBA website at **www.arlingtonma.gov/zba**. This information will be posted within 48 hours of the hearing.

DOCKET NO 3705

Zoning Board of Appeals
Christian Klein, RA, Chair

Please direct any questions to: **ZBA@town.arlington.ma.us**

REQUEST FOR SPECIAL PERMIT

TOWN OF ARLINGTON

TOWN CLERK'S OFFICE
ARLINGTON, MA 02174

2022 JUN 24 AM 9:58

In the matter of the Application of Ryan and Devon Thomas
to the Zoning Board of Appeals for the Town of Arlington:

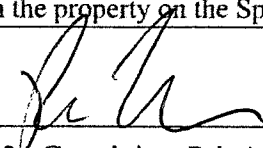
RECEIVED

Application for a Special Permit is herewith made, in accordance with Section 3.3 of the Zoning Bylaw of the Town of Arlington, Massachusetts, seeking relief from the following specific provisions of the Zoning Bylaw, and as described fully in the attached form, *Special Permit Criteria*:

5.4.2. Dimensional and Density RequirementsThe dimensional and density requirements in this
s Section apply to principal and accessory uses and structures in the Residential districts. Table A,
District Yard and Open Space Requirements, R1 District Use zoning requires a 25 ft front yard and 6
ft side yard set back for an accessory structure. The property is non-conforming, so set back is 15 ft

The Applicant states he/she/they is/are the owner/occupant of the land in Arlington located at
24 Grandview Road with respect to such relief is sought; that no unfavorable action
has been taken by the Zoning Board of Appeals upon a similar petition regarding this property within
the two (2) years next immediately prior to the filing hereof. The applicant expressly agrees to full
compliance with any and all conditions and qualifications imposed upon this permission, whether by
the Zoning Bylaw or by the Zoning Board of Appeals, should the same be granted. The Applicant
represents that the grounds for the relief sought are as follows:

Allowing a 6 ft set back instead of 15 ft from Spring Ave (a small alley). The property has multiple
elevations so the proposed area is the only feasible location on the property. The proposed area
is located off the driveway in an already developed (paved area) containing the travel trailer. A 6 ft
set back is the only viable option for a car port on the property on the Spring Ave. side.

E-Mail: startledewe@gmail.com Signed:  Date: 06/01/2022
Telephone: 512-704-4766 Address: 24 Grandview Rd, Arlington MA 02476

Special Permit Criteria: Per Section 3.3.3 of the Zoning Bylaw, a Special Permit shall only be granted upon the Board's determination that the benefits of the proposed project will outweigh its adverse effects. The responses provided below will inform the Board as to whether the standards for approval have been met.

A). Indicate where the requested use is listed in the Table of Use Regulations as allowed by Special Permit in the district for which the application is made or is so designated elsewhere in the Zoning Bylaw.

Section 5.4.2 "District Yard and Open Space Requirements", District Use R0, R1 Accessory buildings and garage structures setbacks, listed as Front Yard - 25 ft, Side Yard - 6 ft, and Rear Yard - 6 ft.

The property is a corner lot bounded by Grandview Rd and Spring Ave, with car port on Spring Ave.

B). Explain why *the requested use is essential or desirable to the public convenience or welfare.*

A car port with a dark gray roof is preferable by the neighbors over an exposed travel trailer. Also, a rain catchment system will be installed, which will reduce property runoff down Spring Avenue.

C). Explain why *the requested use will not create undue traffic congestion, or unduly impair pedestrian safety.*

The proposed car port is located behind a fenced area with a gate, creating no traffic congestion, or impairment of pedestrian safety on Grandview Rd nor Spring Ave.

D). Explain why *the requested use will not overload any public water, drainage or sewer system, or any other municipal system to such an extent that the requested use or any developed use in the immediate area or any other area of the Town will be unduly subjected to hazards affecting health, safety or the general welfare.*

The proposed car port impervious cover is well within the bounds allowed by Arlington. The car port is bounded by pavers and grass with excellent drainage. Additionally, gutters will be utilized to control run-off.

E). Describe how any special regulations for the use, as may be provided in the Zoning Bylaw, including but not limited to the provisions of Section 8 are fulfilled.

The proposed car port complies with all non-conformity regulations, as well as all other provisions of Section 8 and the Zoning Bylaws.

F). Explain why the requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health or welfare.

The area is currently used as storage for our airstream travel trailer. While the trailer is not unsightly, the addition of a covered car port with a dark gray metal roof will improve the appearance and fit with the surrounding treescape and character of the neighborhood.

G). Explain why *the requested use will not, by its addition to a neighborhood, cause an excess of the use that could be detrimental to the character of said neighborhood.*

The space is currently utilized as storage for our travel trailer. The addition of a car port will not lead to additional use of the area.

TOWN OF ARLINGTON
Open Space / Gross Floor Area Information
For Applications to the Zoning Board of Appeals

Refer to Section 2: *Definitions*, and Section 5: *District Regulations* in the Zoning Bylaw of the Town of Arlington before completing this form.

Address: 24 Grandview Rd

Zoning District: R1

OPEN SPACE*

	EXISTING	PROPOSED
Total lot area	<u>10,964</u>	<u>10,964</u>
Open Space, Usable	<u>9,111</u>	<u>9,111</u>
Open Space, Landscaped	<u>9,111</u>	<u>9,111</u>

* Refer to the Definitions in Section 2 of the Zoning Bylaw.

GROSS FLOOR AREA (GFA) †

Accessory Building	<u>0</u>	<u>343</u>
Basement or Cellar (meeting the definition of Story, excluding mechanical use areas)	<u></u>	<u></u>
1 st Floor	<u></u>	<u></u>
2 nd Floor	<u></u>	<u></u>
3 rd Floor	<u></u>	<u></u>
4 th Floor	<u></u>	<u></u>
5 th Floor	<u></u>	<u></u>
Attic (greater than 7'-0" in height, excluding elevator machinery; or mechanical equipment)	<u></u>	<u></u>
Parking garages (except as used for accessory parking or off-street loading purposes)	<u></u>	<u></u>
All weather habitable porches and balconies	<u></u>	<u></u>
Total Gross Floor Area (GFA)	<u></u>	<u></u>

† Refer to Definition of Gross Floor Area in Section 2 and Section 5 of the Zoning Bylaw.

REQUIRED MINIMUM OPEN SPACE AREA

Landscaped Open Space (Sq. Ft.)	<u>9,111</u>	<u>9,111</u>
Landscaped Open Space (% of GFA)	<u>83.1%</u>	<u>83.1%</u>
Usable Open Space (Sq. Ft.)	<u>9,111</u>	<u>9,111</u>
Usable Open Space (% of GFA)	<u>83.1%</u>	<u>83.1%</u>

This worksheet applies to plans dated _____ designed by _____

Reviewed with Building Inspector: _____ Date: _____

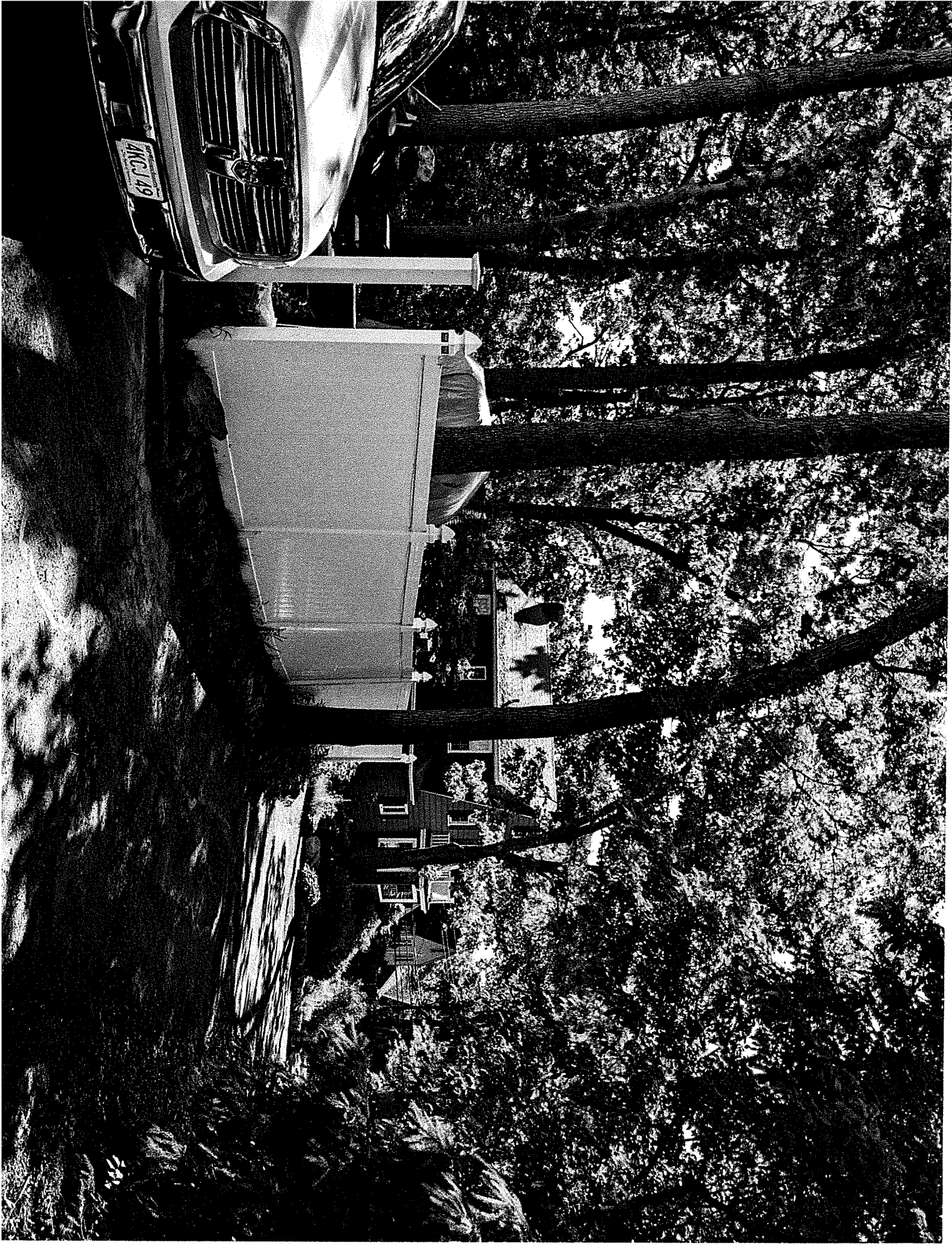
TOWN OF ARLINGTON
 Dimensional and Parking Information
 For Applications to the Zoning Board of Appeals

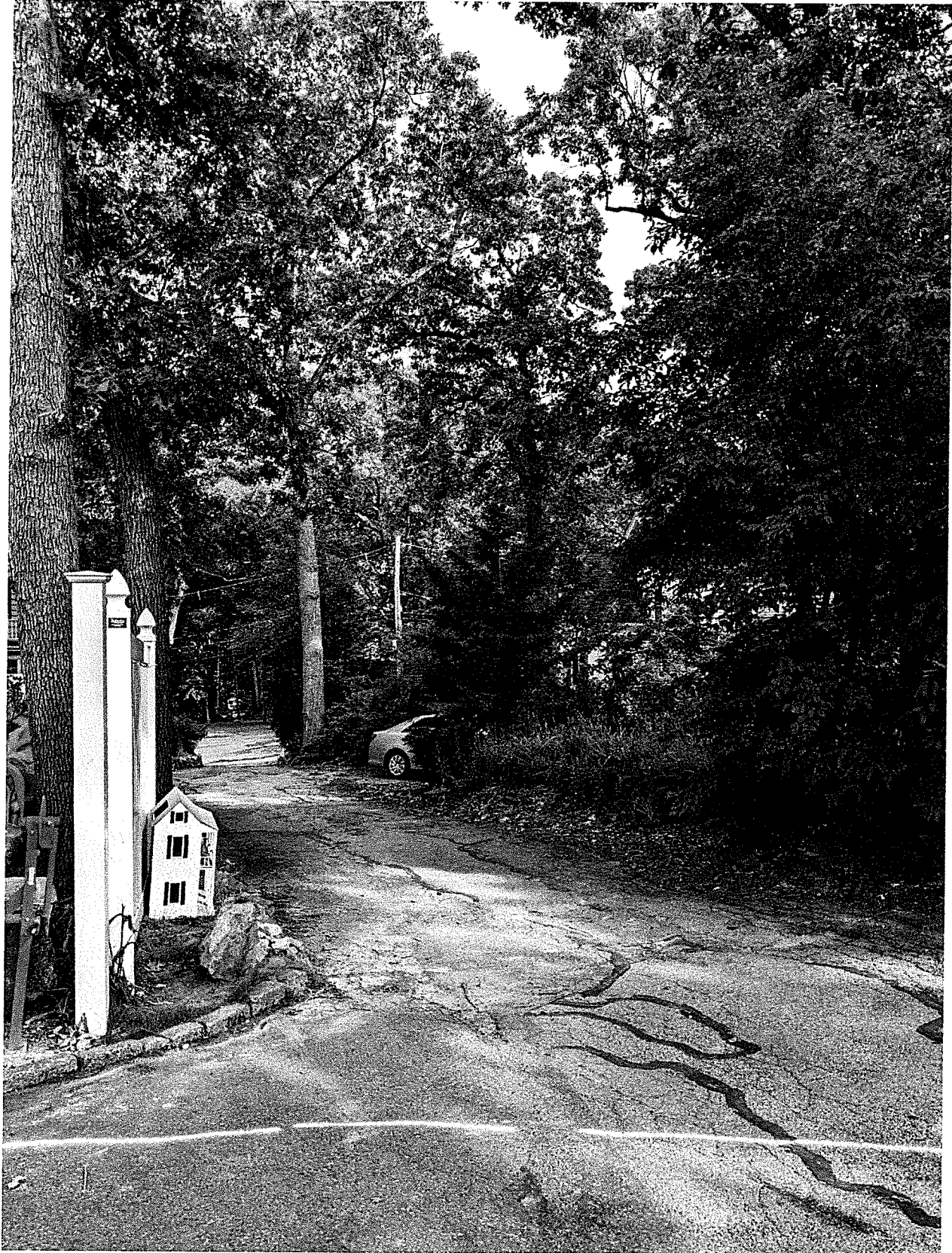
1. Property Location: 24 Grandview Rd Zoning District: R1
2. Present Use/Occupancy: Single Family / Occupied No. of dwelling units 1
3. Existing Gross Floor Area (refer to Section 5.3.22 of the Zoning Bylaw and provide supporting documentation [worksheet and drawings] showing dimensions of GFA by floor):
 Sq. Ft.
4. Proposed Use/Occupancy: Single Family / Occupied No. of dwelling units 1
5. Proposed Gross Floor Area (refer to Section 5.3.22 of the Zoning Bylaw and provide supporting documentation [worksheet and drawings] showing dimensions of GFA by floor):
 Sq. Ft.

6. Lot size (Sq. Ft.)
7. Frontage (Ft.)
8. Floor area ratio
9. Lot Coverage (%)
10. Lot Area per Dwelling Unit (Sq. Ft.)
11. Front Yard Depth (Ft.)
12. Left Side Yard Depth (Ft.)
13. Right Side Yard Depth (Ft.)
14. Rear Yard Depth (Ft.)
15. Height (Stories)
16. Height (Ft.)
17. Landscaped Open Space (Sq. Ft.)
 Refer to Section 2 in the Zoning Bylaw.
- 17A. Landscaped Open Space (% of GFA)
18. Usable Open Space (Sq. Ft.)
 Refer to Section 2 in the Zoning Bylaw.
- 18A. Usable Open Space (% of GFA)
19. Number of Parking Spaces
20. Parking area setbacks (if applicable)
21. Number of Loading Spaces (if applicable)
22. Type of construction
23. Slope of proposed roof(s) (in. per ft.)

Present Conditions	Proposed Conditions	Min. or max Required by Zoning
		min.
		min.
		max.
		max
		min.
		min.
		min.
6	6	min. 6
		max.
		max.
9,111	9,111	
83.1%	83.1%	min.
9,111	9,111	
83.1%	83.1%	min.
		min.
		min.
		min.
		N/A
		min.

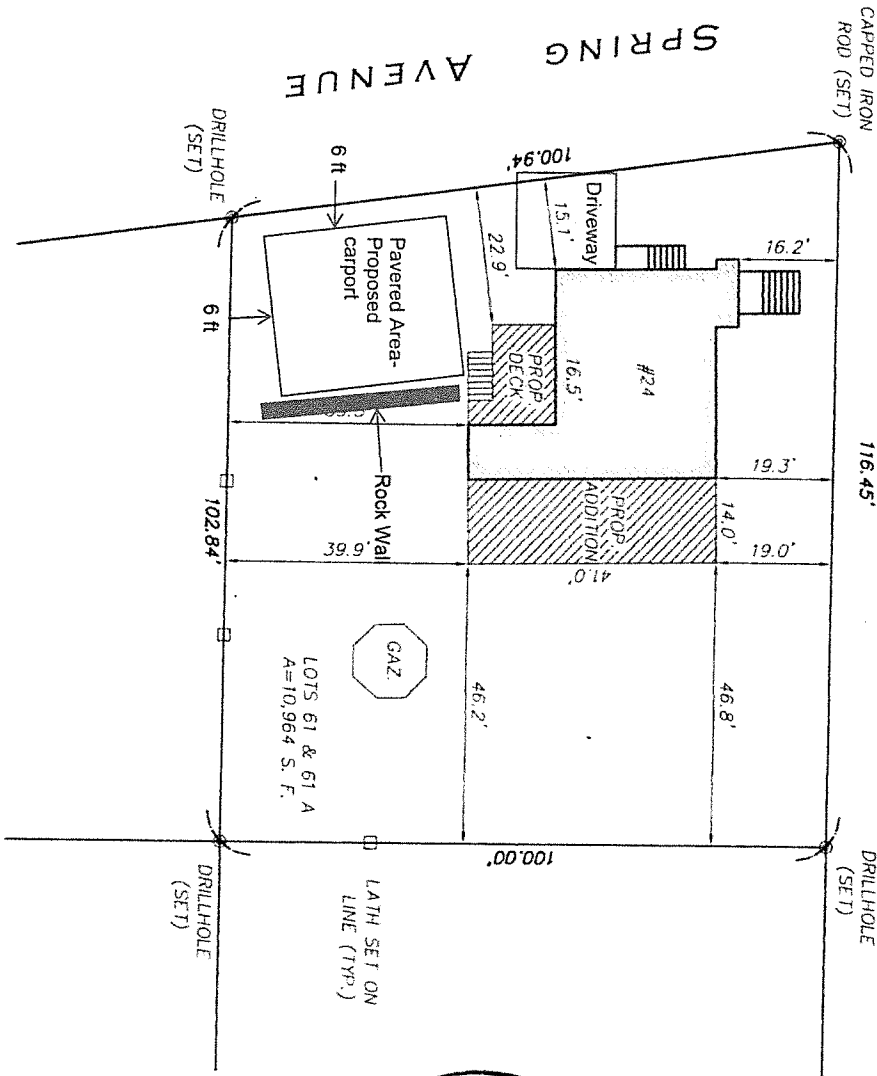






PROPOSED LOT COVERAGE=16.9%

GRAND VIEW ROAD



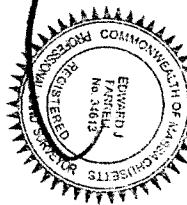
OWNER OF RECORD

RYAN & DEVON THOMAS
BOOK 78222 PAGE 363 M.S.R.D.

PLAN REFERENCES

PLAN BOOK 247 PLAN 36

I HEREBY CERTIFY THAT THIS PLAN IS BASED ON AN
ACTUAL INSTRUMENT SURVEY.



EDWARD J. FARRELL P.L.S.

DATE

11-11-21

PLOT PLAN

24 GRAND VIEW AVENUE
ARLINGTON, MASS.

SCALE: 1" = 20' NOVEMBER 11, 2021

Prepared By

EDWARD J. FARRELL

PROFESSIONAL LAND SURVEYOR

110 WINN STREET ~ SUITE 203 ~ WOBURN, MA.

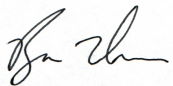
(781)-933-9012

REQUEST FOR VARIANCE
TOWN OF ARLINGTON

In the matter of the Application of _____
to the Zoning Board of Appeals for the Town of Arlington:

Application for a Variance is herewith made, in accordance with Section 3.2 of the Zoning Bylaw of the Town of Arlington, Massachusetts seeking relief from the following specific provisions of the Zoning Bylaw, and as described more fully in the attached form, *Variance Criteria*:

The Petitioner/Applicant states he/she/they is/are the owner-occupant of the land in Arlington located at _____ with respect to such relief is sought; that no unfavorable action has been taken by the Zoning Board of Appeals upon a similar petition regarding this property within the two (2) years next immediately prior to the filing hereof. The applicant expressly agrees to full compliance with any and all conditions and qualifications imposed upon this permission, whether by the Zoning Bylaw or by the Zoning Board of Appeals, should the same be granted. The Applicant represents that the grounds for the relief sought are as follows:

E- Mail: _____ Signed:  _____ Date: _____
Telephone: _____ Address: _____

Variance Criteria:

The power of the Board of Appeals to grant a Variance from the literal application of the Zoning Bylaw is strictly limited by State Law. Under MGL, Chapter 40a, Section 10, the Board of Appeals must “specifically find” for a particular piece of land or a specific structure that “owing to circumstances relating to the soil conditions, shape, or topography of such land or structures and especially affecting such land or structures but not affecting generally the zoning district in which it is located, a literal enforcement of the provisions of the ... by-law would involve substantial hardship, financial or otherwise, to the petitioner ... , and that desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of such ordinance or bylaw.” (emphasis added.)

Thus, Under State Law, a Variance may only be granted when **all of the four (4) following criteria are met:**

1). Describe the circumstances relating to the soil conditions, shape, or topography especially affecting such land or structures but not affecting generally the Zoning District in which it is located that would substantiate the granting of a Variance.

2). Describe how a literal enforcement of the provisions of the Zoning Bylaw, specifically relating to the circumstances affecting the land or structure noted above, would involve substantial hardship, financial or otherwise, to the Petitioner or Appellant.

3). Describe how desirable relief may be granted without substantial detriment to the public good.

4). Describe how desirable relief may be granted ... without nullifying or substantially derogating from the intent or purpose of the Zoning Bylaw of the Town of Arlington, Massachusetts.

State Law (MGL Chapter 40a, Section 10) requires that the Zoning Board of Appeals must find that all four (4) criteria are met in order to be authorized to grant a Variance. If any one of the standards is not met, the Board must deny the Variance.

TOWN OF ARLINGTON
 Dimensional and Parking Information
 For Applications to the Zoning Board of Appeals

1. Property Location: _____ Zoning District: _____

2. Present Use/Occupancy: _____ No. of dwelling units _____

3. Existing Gross Floor Area (refer to Section 5.3.22 of the Zoning Bylaw and provide supporting documentation [worksheet and drawings] showing dimensions of GFA by floor):
 _____ Sq. Ft.

4. Proposed Use/Occupancy: _____ No. of dwelling units _____

5. Proposed Gross Floor Area (refer to Section 5.3.22 of the Zoning Bylaw and provide supporting documentation [worksheet and drawings] showing dimensions of GFA by floor):
 _____ Sq. Ft.

	Present Conditions	Proposed Conditions	Min. or max Required by Zoning
6. Lot size (Sq. Ft.)			min.
7. Frontage (Ft.)			min.
8. Floor area ratio			max.
9. Lot Coverage (%)			max
10. Lot Area per Dwelling Unit (Sq. Ft.)			min.
11. Front Yard Depth (Ft.)			min.
12. Left Side Yard Depth (Ft.)			min.
13. Right Side Yard Depth (Ft.)			min.
14. Rear Yard Depth (Ft.)			min.
15. Height (Stories)			max.
16. Height (Ft.)			max.
17. Landscaped Open Space (Sq. Ft.) Refer to Section 2 in the Zoning Bylaw.			
17A. Landscaped Open Space (% of GFA)			min.
18. Usable Open Space (Sq. Ft.) Refer to Section 2 in the Zoning Bylaw.			
18A. Usable Open Space (% of GFA)			min.
19. Number of Parking Spaces			min.
20. Parking area setbacks (if applicable)			min.
21. Number of Loading Spaces (if applicable)			min.
22. Type of construction			N/A
23. Slope of proposed roof(s) (in. per ft.)			min.

TOWN OF ARLINGTON
Open Space / Gross Floor Area Information
For Applications to the Zoning Board of Appeals

Refer to Section 2: *Definitions*, and Section 5: *District Regulations* in the Zoning Bylaw of the Town of Arlington before completing this form.

Address: _____

Zoning District: _____

OPEN SPACE*

EXISTING

PROPOSED

Total lot area

Open Space, Usable

Open Space, Landscaped

* Refer to the Definitions in Section 2 of the Zoning Bylaw.

GROSS FLOOR AREA (GFA) †

Accessory Building

Basement or Cellar (meeting the definition of Story,
excluding mechanical use areas)

1st Floor

2nd Floor

3rd Floor

4th Floor

5th Floor

Attic (greater than 7'-0" in height, excluding
elevator machinery, or mechanical equipment)

Parking garages (except as used for accessory
parking or off-street loading purposes)

All weather habitable porches and balconies

Total Gross Floor Area (GFA)

† Refer to Definition of Gross Floor Area in Section 2 and Section 5 of the Zoning Bylaw.

REQUIRED MINIMUM OPEN SPACE AREA

Landscaped Open Space (Sq. Ft.)

Landscaped Open Space (% of GFA)

Usable Open Space (Sq. Ft.)

Usable Open Space (% of GFA)

This worksheet applies to plans dated _____ designed by _____

Reviewed with Building Inspector: _____ Date: _____



TOWN OF ARLINGTON
DEPARTMENT OF PLANNING and
COMMUNITY DEVELOPMENT

TOWN HALL, 730 MASSACHUSETTS AVENUE
ARLINGTON, MASSACHUSETTS 02476
TELEPHONE 781-316-3090

MEMORANDUM

To: Zoning Board of Appeals
From: Kelly Lynema, Acting Director, Dept. of Planning and Community Development
Marisa Lau, Senior Planner
Date: 8/3/2022
RE: Docket 3705 – 24 Grandview Road; Variance under Zoning Bylaw Section 5.4.2
(Dimensional and Density Requirements)

The applicants, Ryan and Devon Thomas, seek a Variance in accordance with Section 5.4.2 (Dimensional and Density Requirements) of the Zoning Bylaw. The applicants propose to construct a 14-foot wide by 25-foot deep carport in the front yard of a corner lot with a single-family home. The purpose of the request is to provide a covered shelter for the owner's travel trailer.

The property is in the R1 Zoning District and is nonconforming with the Zoning Bylaw's front yard and usable open space requirements. The single-family home is set back 15.1 feet from Spring Avenue and 16.2 feet from Grandview Road, whereas a 25-foot front yard setback is required.

The applicants are requesting a variance for a reduction of the front yard setback for an accessory structure in the R1 Zoning District from 25 feet to 6 feet. The carport would be located to the right of the existing driveway accessed from Spring Avenue and comply with the rear and side yard setback requirements of 6 feet. Lot coverage would increase from 17% to 20% (+3%) under the proposal.

The following is an application of the Variance criteria (M.G.L. c. 40 §A.10):

Criterion #1: Soil Conditions, Shape, or Topography

The topography and existing vegetation of the site significantly limit vehicular access, except from Spring Avenue. The property slopes toward the north and east with an overall elevation change of approximately 12 feet. Additionally, mature trees are located within the front yard along Grandview Road.

Criterion #2: Hardship

The proposal is for a carport with a footprint of 343 square feet. The proposal does not comply with front yard setback requirements because the property is a corner lot, but does meet the rear and side yard requirements (6 feet). If granted, the variance request would reduce the front yard setback to 6 feet for the carport. Were the applicant to follow a literal application of the Zoning Bylaw, the financial and environmental cost to create a flat area for the carport on the sloped side of the lot would be significant.

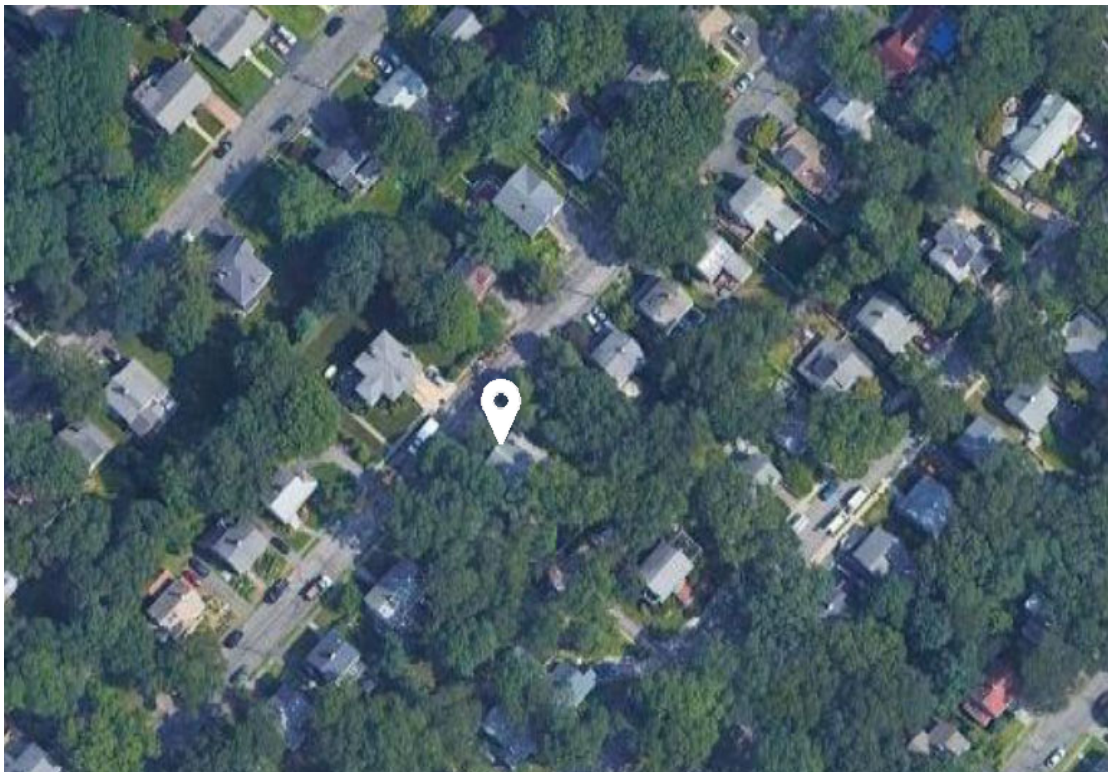
Criterion #3: Without Substantial Detriment to the Public Good

The carport would be accessed from the existing driveway. The proposed area for the carport is developed with a stone patio and no further increase in impervious area is needed. In addition, a rain catchment system for the carport will be installed, decreasing the amount of runoff from the property. The area is bounded by a privacy fence to be completed with a privacy gate that will block views of most of the trailer from the streets.

Criterion #4: Without Nullifying or Substantially Derogating From the Intent of the Zoning Bylaw

This proposal is consistent with the intent of the R1 Zoning District.

Below are aerial and street-based photos of the locus:





Recommendation:

Overall, this proposal meets the four variance criteria. The Department of Planning and Community Development recommends that the Zoning Board of Appeals approve this application.



Town of Arlington, Massachusetts

Docket # 3706 : 13-15 Adams Street

ATTACHMENTS:

Type	File Name	Description
▣ Reference Material	ZBA_Package__13_-_15_Adams_Street.pdf	ZBA Package, 13 - 15 Adams Street
▣ Memorandum	3706_13-15_Adams_Street_-_f.pdf	DPCD Memo re: Docket 3706, 13-15 Adams St



Town of Arlington
Zoning Board of Appeals
51 Grove Street
Arlington, Massachusetts 02476
781-316-3396
www.arlingtonma.gov

LEGAL NOTICE

Notice is herewith given in accordance with the provisions of Section 3.2.3A of the Zoning Bylaws that there has been filed by **Anne Dwyer Wilmer and Jeremy Wilmer** of Arlington, Massachusetts on July 1, 2022, a petition seeking permission to alter their property located at **13 – 15 Adams Street- Block Plan 031.0-0005-0004.0** Said petition would require a Special Permit under **Section 8.1.3 (B) (Nonconforming Single-Family or Two-Family Dwellings)** of the Zoning Bylaw for the Town of Arlington.

A hearing in regards to the petition will be conducted on **Tuesday evening August 9, 2022 at 7:30 P.M or as soon thereafter as the petitioner may be heard.** For the location and or “Zoom” information, visit the ZBA website at www.arlingtonma.gov/zba. This information will be posted within 48 hours of the hearing.

DOCKET NO 3706

Zoning Board of Appeals
Christian Klein, RA, Chair

Please direct any questions to: **ZBA@town.arlington.ma.us**

REQUEST FOR SPECIAL PERMIT

TOWN OF ARLINGTON

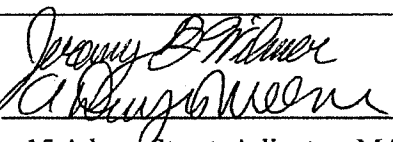
In the matter of the Application of Anne Dwyer Wilmer and Jeremy Wilmer
to the Zoning Board of Appeals for the Town of Arlington:

Application for a Special Permit is herewith made, in accordance with Section 3.3 of the Zoning Bylaw of the Town of Arlington, Massachusetts, seeking relief from the following specific provisions of the Zoning Bylaw, and as described fully in the attached form, *Special Permit Criteria*:

We would like to add a dormer to our existing non-conforming two-family dwelling, per
Section 8.1.3.B. Existing property and dwelling do not conform to multiple dimensional regulations
shown on Table 5.4.2.B, including Lot Area, Frontage, Lot Coverage, Yards, Height,
and Usable Open Space.

The Applicant states he/she/they is/are the owner/occupant of the land in Arlington located at 13-15 Adams Street with respect to such relief is sought; that no unfavorable action has been taken by the Zoning Board of Appeals upon a similar petition regarding this property within the two (2) years next immediately prior to the filing hereof. The applicant expressly agrees to full compliance with any and all conditions and qualifications imposed upon this permission, whether by the Zoning Bylaw or by the Zoning Board of Appeals, should the same be granted. The Applicant represents that the grounds for the relief sought are as follows:

We would like to add one shed dormer to provide additional living space and headroom for a full
bathroom and study on the third floor. Similar requests have been granted to other homes in the
neighborhood. Scale and materials of proposed dormer are compatible with similar dormers in the
neighborhood.

E-Mail: annetdwyer@gmail.com & jeremy.wilmer@me.com Signed:  Date: 6/29/2022
Telephone: 857-253-8081 Address: 15 Adams Street, Arlington, MA 02474

Special Permit Criteria: Per Section 3.3.3 of the Zoning Bylaw, a Special Permit shall only be granted upon the Board’s determination that the benefits of the proposed project will outweigh its adverse effects. The responses provided below will inform the Board as to whether the standards for approval have been met.

A). Indicate where the requested use is listed in the Table of Use Regulations as allowed by Special Permit in the district for which the application is made or is so designated elsewhere in the Zoning Bylaw.

No change in use is proposed. Existing and requested use (Two-family dwelling) is permitted
"by right" without a Special Permit in the R2 Zoning District, as shown on Table 5.4.3.

B). Explain why the *requested use is essential or desirable to the public convenience or welfare.*

Requested dormer will provide additional headroom and a full bathroom on the third floor, and
improve the existing housing stock in Arlington. Existing attic is poorly insulated; new insulation,
air sealing, and HVAC equipment improvements will reduce the carbon footprint of the residence.

C). Explain why *the requested use will not create undue traffic congestion, or unduly impair pedestrian safety.*

Requested dormer does not add any new dwelling units or bedrooms. We do not anticipate any
increase in household size or vehicular traffic as the result of this dormer, either now or in the future.

D). Explain why *the requested use will not overload any public water, drainage or sewer system, or any other municipal system to such an extent that the requested use or any developed use in the immediate area or any other area of the Town will be unduly subjected to hazards affecting health, safety or the general welfare.*

Requested dormer does not add any new roof area, and would not increase load on the Town storm
drainage system. Requested dormer does not add any new bedrooms and would not increase demand
on the Town water or sewer systems.

E). Describe how any special regulations for the use, as may be provided in the Zoning Bylaw, including but not limited to the provisions of Section 8 are fulfilled.

Existing and requested use (Two-family dwelling) is allowed "by right" in the R2 Zoning District.

F). Explain why the requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health or welfare.

Third floor dormers of similar scale are common throughout the R2 Zoning District.

Requested dormer will maintain the character of the surrounding residential neighborhood.

G). Explain why *the requested use will not, by its addition to a neighborhood, cause an excess of the use that could be detrimental to the character of said neighborhood.*

Existing and requested use (Two-family dwelling) is allowed "by right" in the R2 Zoning District.

Proposed dormer will improve the exterior appearance of the house with new windows, siding,

roofing, and exterior trim.

TOWN OF ARLINGTON
Dimensional and Parking Information
For Applications to the Zoning Board of Appeals

1. Property Location: 15 Adams Street Arlington Zoning District: R2

2. Present Use/Occupancy: Residential No. of dwelling units 2

3. Existing Gross Floor Area (refer to Section 5.3.22 of the Zoning Bylaw and provide supporting documentation [worksheet and drawings] showing dimensions of GFA by floor):
4,183 Sq. Ft.

4. Proposed Use/Occupancy: Residential (no change) No. of dwelling units 2

5. Proposed Gross Floor Area (refer to Section 5.3.22 of the Zoning Bylaw and provide supporting documentation [worksheet and drawings] showing dimensions of GFA by floor):
4,336 Sq. Ft.

	Present Conditions	Proposed Conditions	Min. or max Required by Zoning
6. Lot size (Sq. Ft.)	4,500	4,500	min. 6,000
7. Frontage (Ft.)	50	50	min. 60
8. Floor area ratio	N/A	N/A	max. N/A
9. Lot Coverage (%)	40.9%	40.9%	max 35%
10. Lot Area per Dwelling Unit (Sq. Ft.)	2,250	2,250	min. N/A
11. Front Yard Depth (Ft.)	13.1	13.1	min. 20
12. Left Side Yard Depth (Ft.)	5.7	5.7	min. 10
13. Right Side Yard Depth (Ft.)	16.2	16.2	min. 10
14. Rear Yard Depth (Ft.)	23.3	23.3	min. 18 (=20%)
15. Height (Stories)	2 1/2	2 1/2	max. 2 1/2
16. Height (Ft.)	+/-35'-4"	+/-35'-4"	max. 35
17. Landscaped Open Space (Sq. Ft.) Refer to Section 2 in the Zoning Bylaw.	1,299	1,299	
17A. Landscaped Open Space (% of GFA)	31%	30%	min. 10%
18. Usable Open Space (Sq. Ft.) Refer to Section 2 in the Zoning Bylaw.	0	0	
18A. Usable Open Space (% of GFA)	0%	0%	min. 30%
19. Number of Parking Spaces	2	2	min. 2
20. Parking area setbacks (if applicable)	N/A	N/A	min. N/A
21. Number of Loading Spaces (if applicable)	N/A	N/A	min. N/A
22. Type of construction	V-B	V-B	N/A
23. Slope of proposed roof(s) (in. per ft.)	+/-9.5 in 12	+/-3.5 in 12	min. 2 in 12

TOWN OF ARLINGTON
Open Space / Gross Floor Area Information
For Applications to the Zoning Board of Appeals

Refer to Section 2: *Definitions*, and Section 5: *District Regulations* in the Zoning Bylaw of the Town of Arlington before completing this form.

Address: 15 Adams Street Arlington **Zoning District:** R2

<u>OPEN SPACE*</u>	EXISTING	PROPOSED
Total lot area	<u>4,500</u>	<u>4,500</u>
Open Space, Usable	<u>0</u>	<u>0</u>
Open Space, Landscaped	<u>1,299</u>	<u>1,299</u>

* Refer to the Definitions in Section 2 of the Zoning Bylaw.

<u>GROSS FLOOR AREA (GFA) †</u>		
Accessory Building	<u>0</u>	<u>0</u>
Basement or Cellar (meeting the definition of Story, excluding mechanical use areas)	<u>995</u>	<u>995</u>
1 st Floor	<u>1,338</u>	<u>1,338</u>
2 nd Floor	<u>1,455</u>	<u>1,455</u>
3 rd Floor	<u>N/A</u>	<u>N/A</u>
4 th Floor	<u>N/A</u>	<u>N/A</u>
5 th Floor	<u>N/A</u>	<u>N/A</u>
Attic (greater than 7'-0" in height, excluding elevator machinery, or mechanical equipment)	<u>395</u>	<u>548</u>
Parking garages (except as used for accessory parking or off-street loading purposes)	<u>(excluded)</u>	<u>(excluded)</u>
All weather habitable porches and balconies	<u>(included above)</u>	<u>(included above)</u>
Total Gross Floor Area (GFA)	<u>4,183</u>	<u>4,336</u>

† Refer to Definition of Gross Floor Area in Section 2 and Section 5 of the Zoning Bylaw.

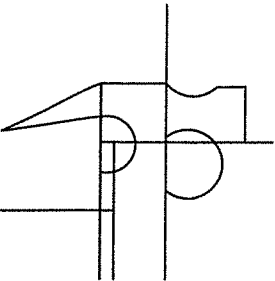
<u>REQUIRED MINIMUM OPEN SPACE AREA</u>		
Landscaped Open Space (Sq. Ft.)	<u>1,299</u>	<u>1,299</u>
Landscaped Open Space (% of GFA)	<u>31%</u>	<u>30%</u>
Usable Open Space (Sq. Ft.)	<u>0</u>	<u>0</u>
Usable Open Space (% of GFA)	<u>0%</u>	<u>0%</u>

This worksheet applies to plans dated 06/30/2022 designed by Byggmeister Inc.

Reviewed with Building Inspector: _____ Date: _____

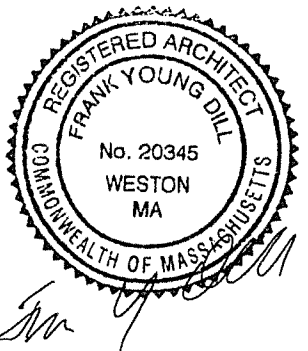
DRAWING INDEX

ARCHITECTURAL		ISSUE DATE	CURRENT REVISION
A001	DRAWING INDEX	6.30.2022	—
A002	SITE PLAN AND OPEN SPACE SUMMARY	6.30.2022	—
A003	GROSS FLOOR AREA DIAGRAMS	6.30.2022	—
A102	SECOND FLOOR PLAN PROPOSED	6.30.2022	—
A103	ATTIC FLOOR PLAN PROPOSED	6.30.2022	—
A201	NORTH EXTERIOR ELEVATION PROPOSED	6.30.2022	—
A202	EAST EXTERIOR ELEVATION PROPOSED	6.30.2022	—
A301	BUILDING SECTION PROPOSED	6.30.2022	—
EXISTING CONDITIONS			
RA103	ATTIC FLOOR PLAN EXISTING	6.30.2022	—
RA201	NORTH EXTERIOR ELEVATION EXISTING	6.30.2022	—
RA202	EAST EXTERIOR ELEVATION EXISTING	6.30.2022	—



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FRANK DILL ARCHITECTS
27 Leslie Road
Belmont, Massachusetts 02478



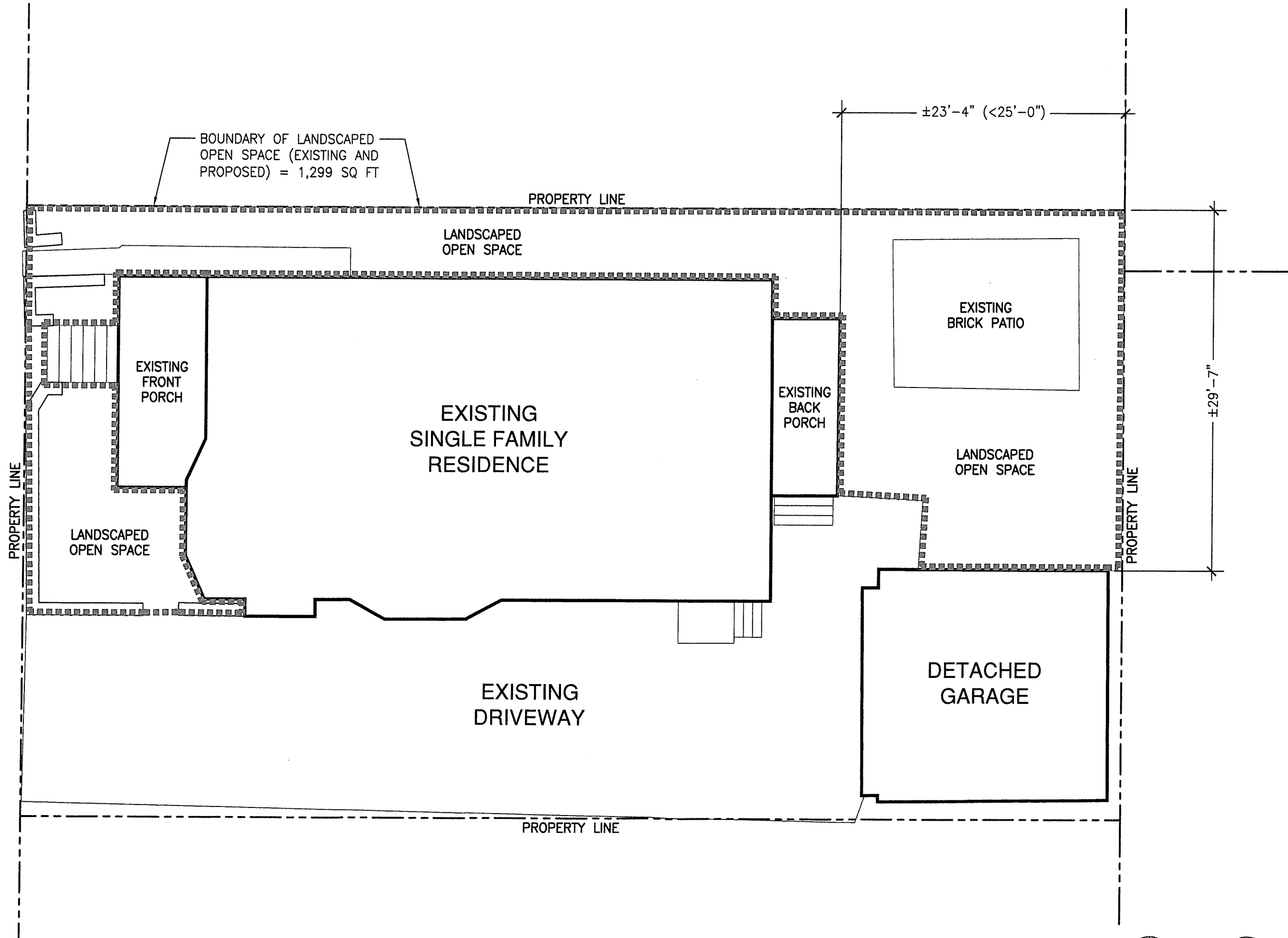
**DWYER-
WILMER
RESIDENCE**
15 ADAMS STREET
ARLINGTON, MA 02474

DRAWING INDEX

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DRAWN BY: FYD

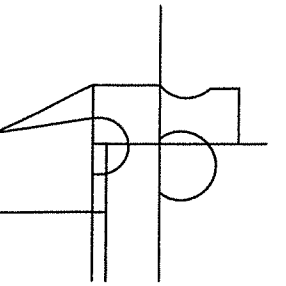
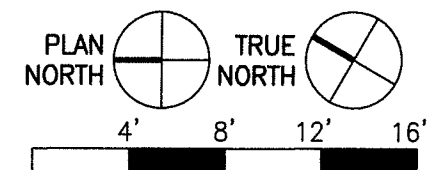
**A
001**

ADAMS STREET



1 SITE PLAN
SCALE: 1/8" = 1'-0"

31 of 64

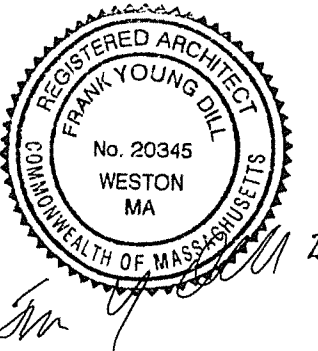


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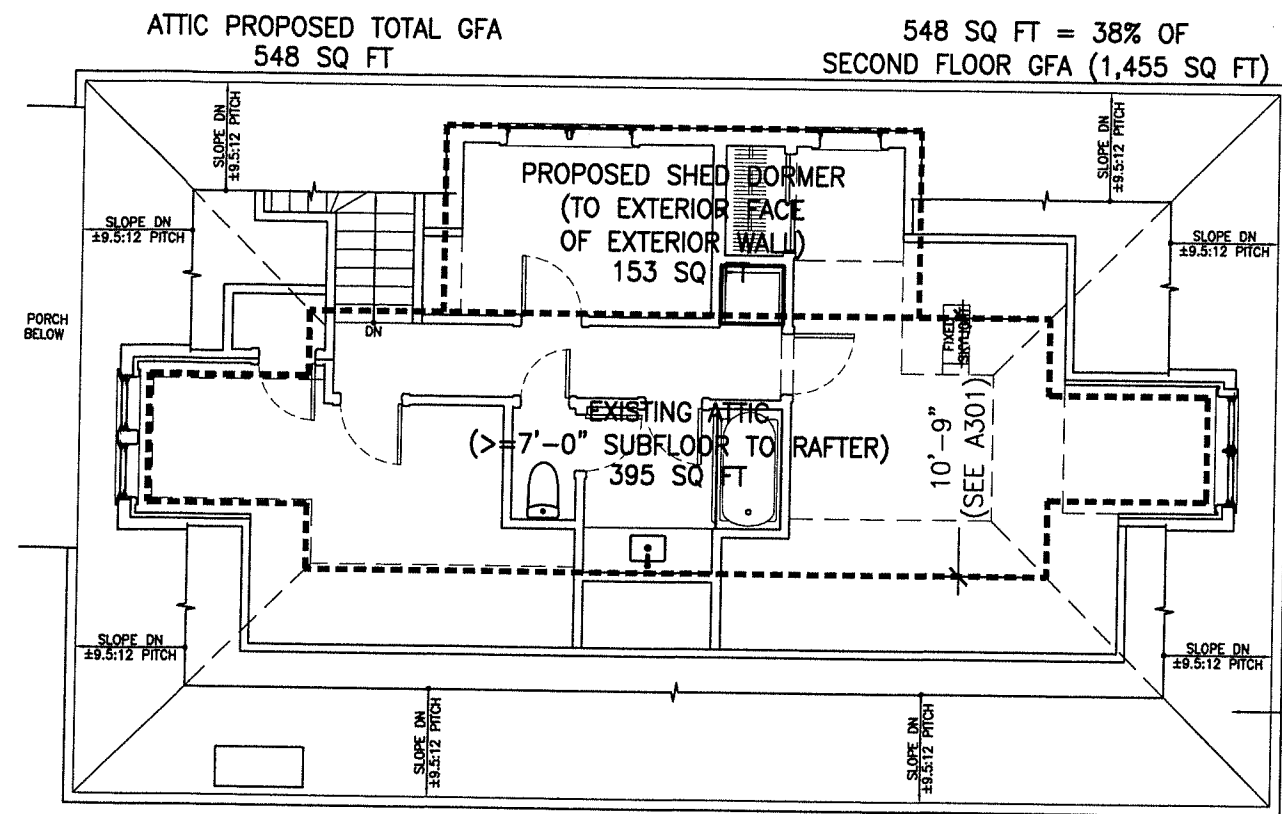
**DWYER-
WILMER
RESIDENCE**

15 ADAMS STREET
ARLINGTON, MA 02474

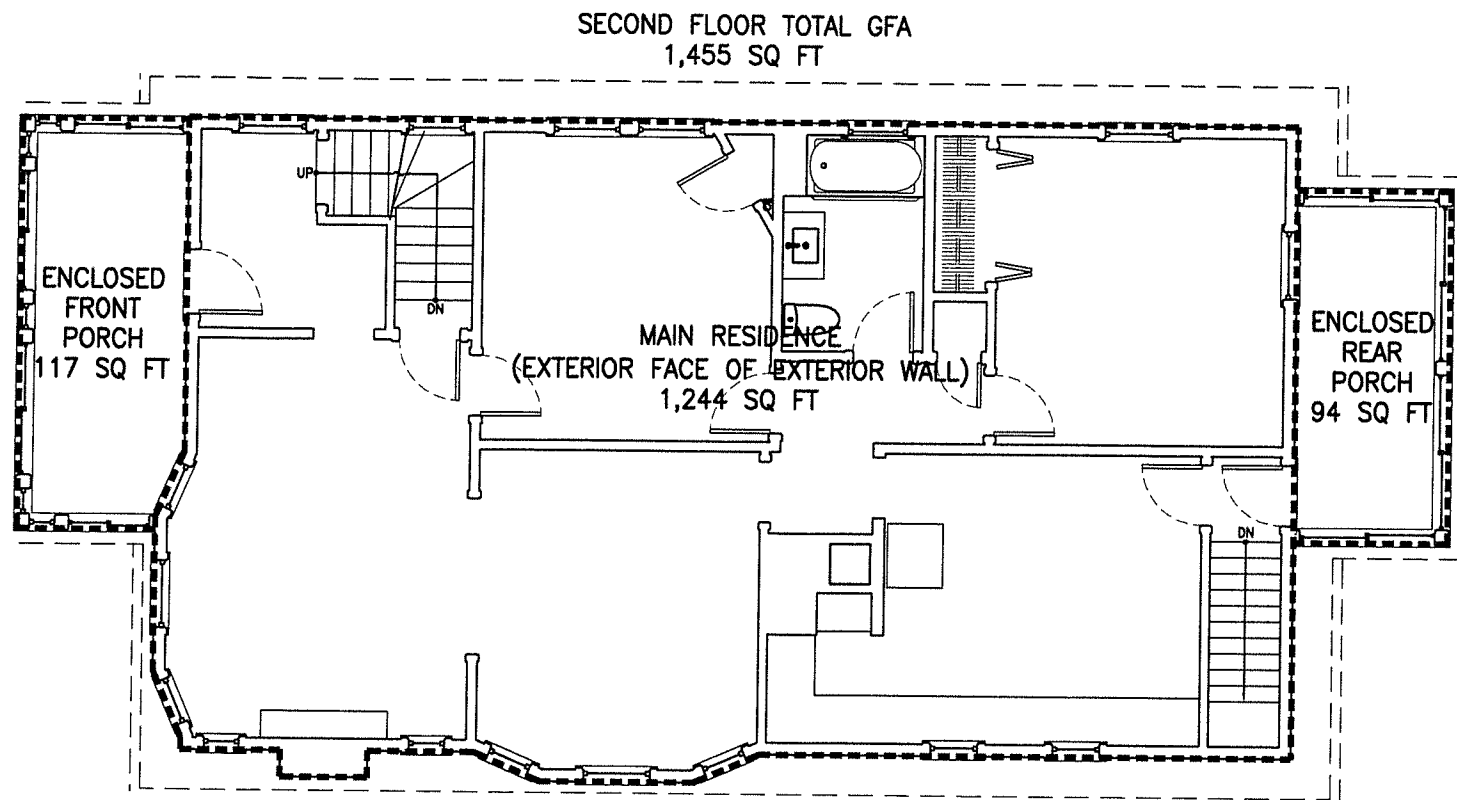
SITE PLAN AND
OPEN SPACE
SUMMARY

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DRAWN BY: FYD

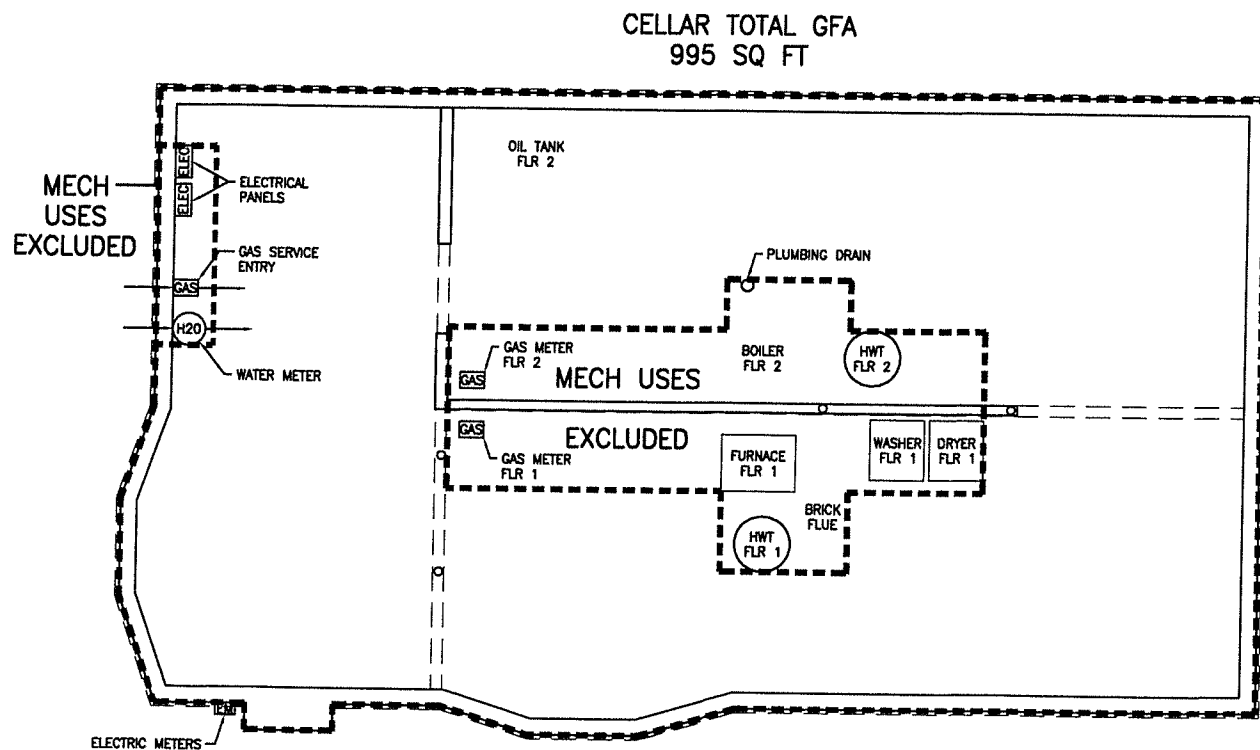
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002**



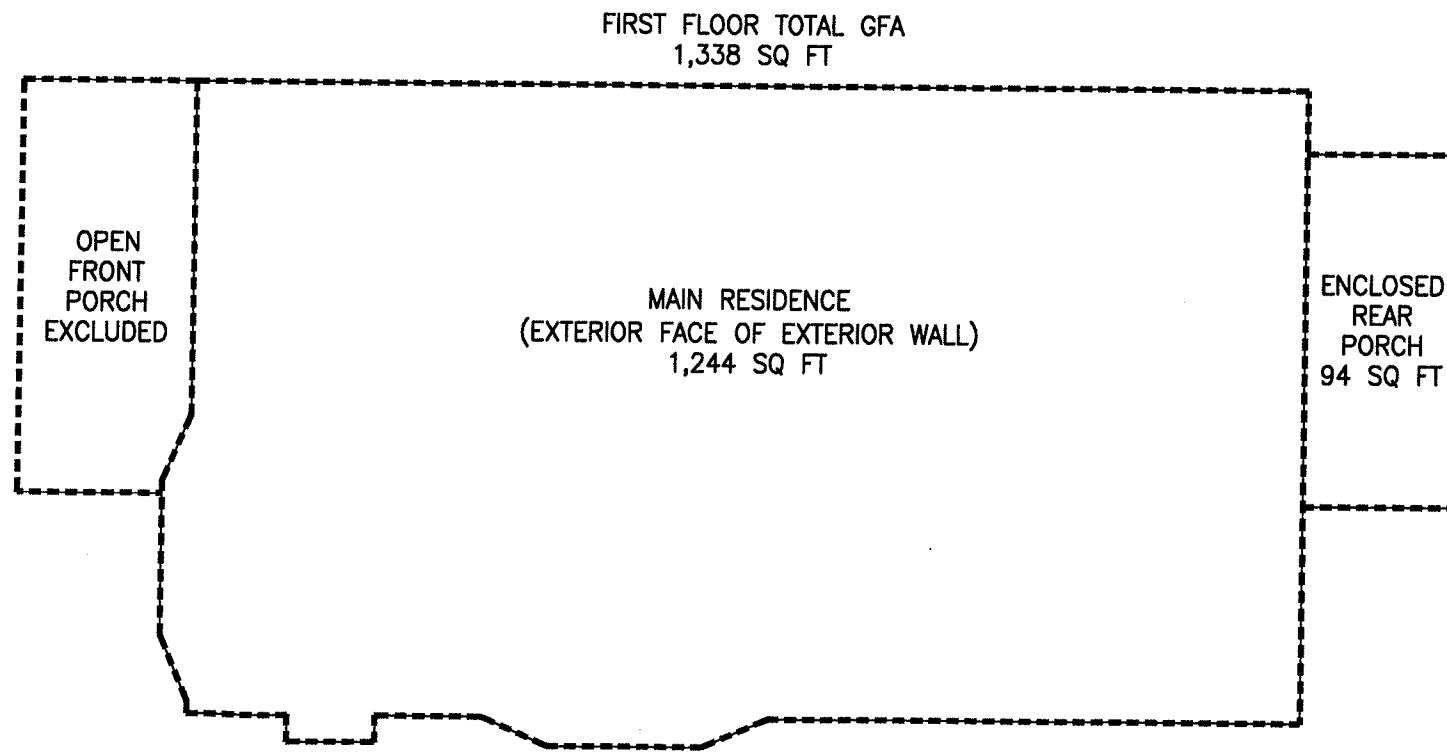
1 GROSS FLOOR AREA DIAGRAM: ATTIC
SCALE: 1/8" = 1'-0"



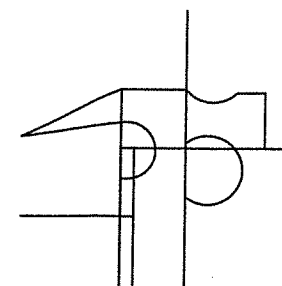
2 GROSS FLOOR AREA DIAGRAM: SECOND FLOOR
SCALE: 1/8" = 1'-0"



3 GROSS FLOOR AREA DIAGRAM: CELLAR
SCALE: 1/8" = 1'-0"



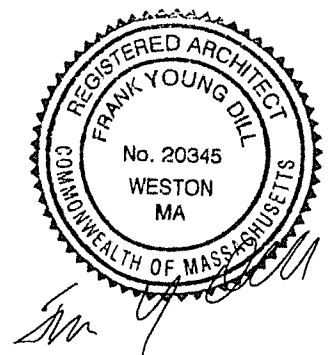
4 GROSS FLOOR AREA DIAGRAM: FIRST FLOOR
SCALE: 1/8" = 1'-0"



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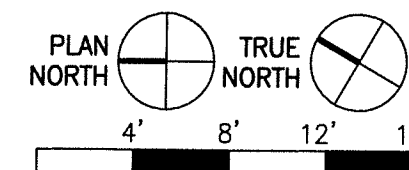


**DWYER-
WILMER
RESIDENCE**

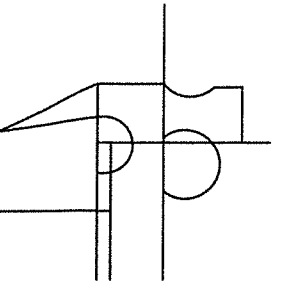
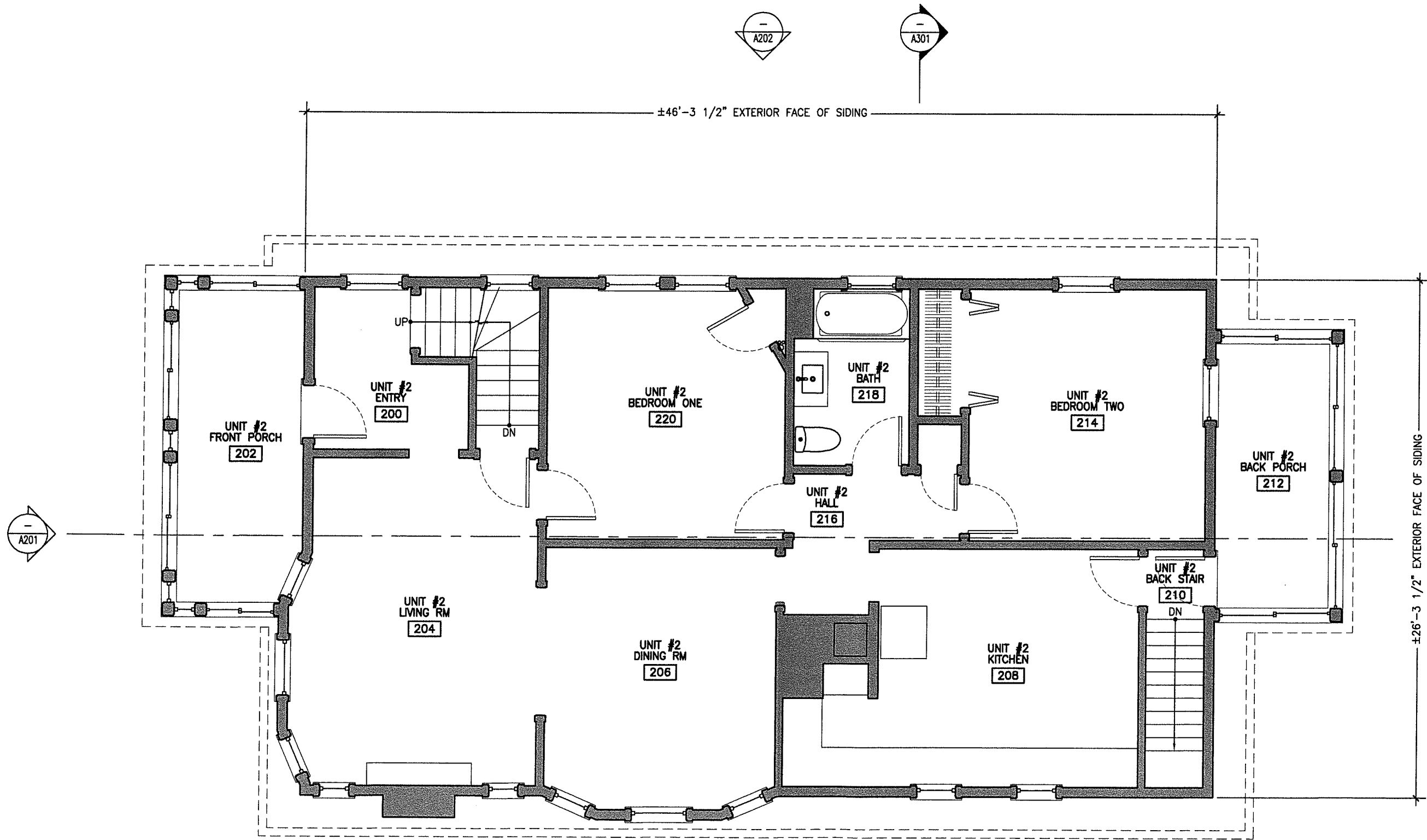
15 ADAMS STREET
ARLINGTON, MA 02474

GROSS FLOOR
AREA DIAGRAMS

SPECIAL PERMIT SUBMISSION
DATE: JUNE 30, 2022
SCALE: 1/8" = 1'-0"
DRAWN BY: FYD



**A
003**

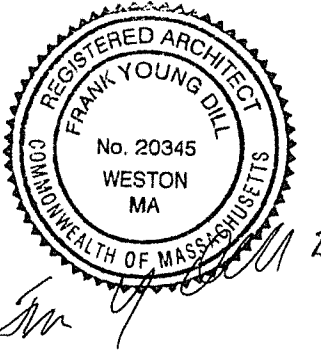


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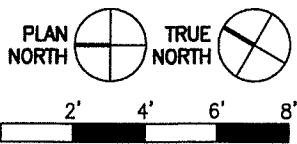
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RESIDENCE**

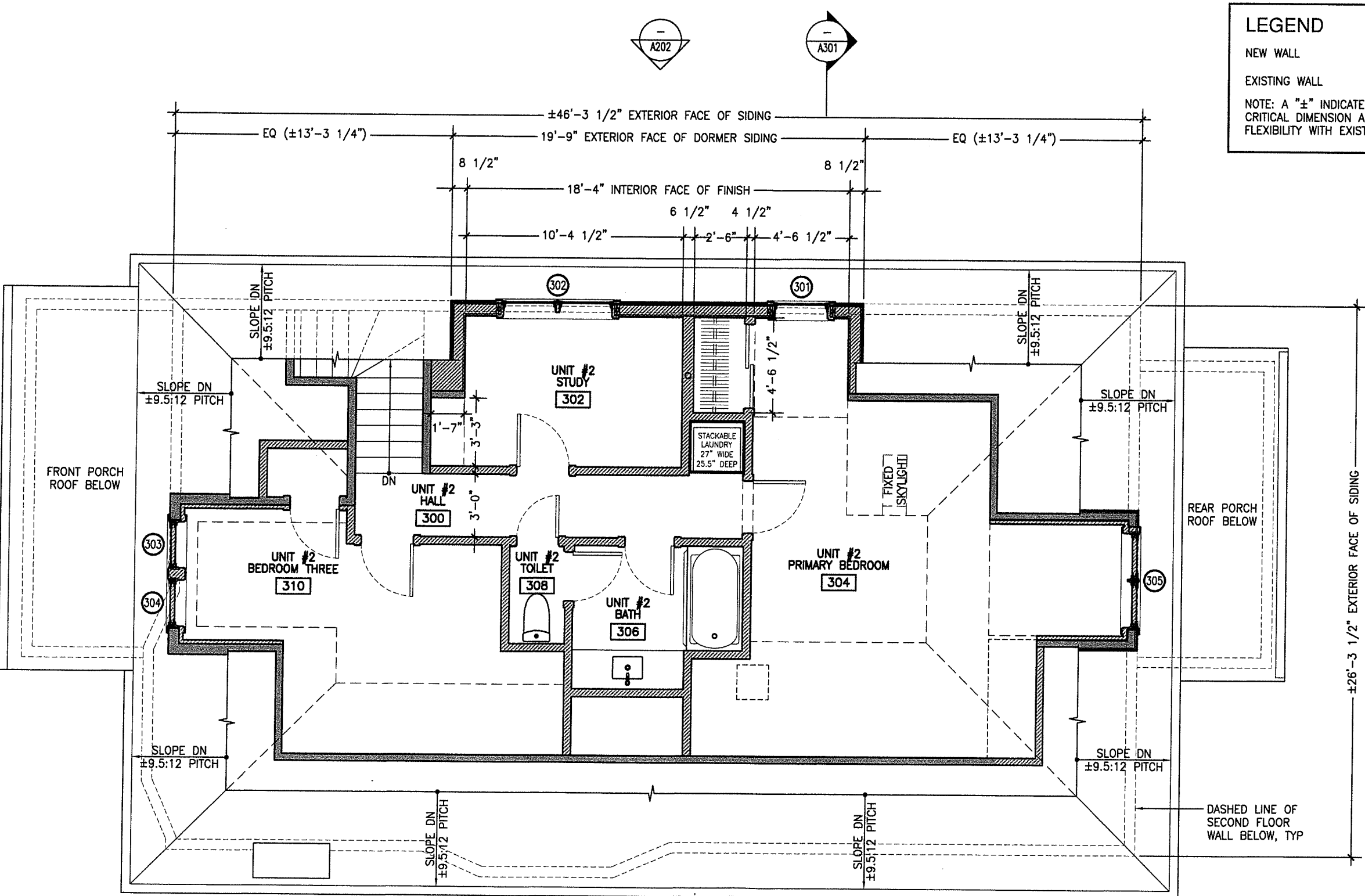
15 ADAMS STREET
ARLINGTON, MA 02474

**SECOND FLOOR
PLAN
PROPOSED**

SPECIAL PERMIT SUBMISSION
DATE: JUNE 30, 2022
SCALE: 3/16" = 1'-0"
DRAWN BY: FYD

**A
102**



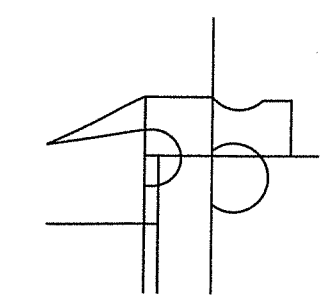


LEGEND

NEW WALL

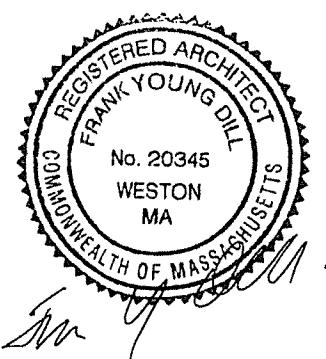
EXISTING WALL

NOTE: A "±" INDICATES A LESS CRITICAL DIMENSION AND SOME FLEXIBILITY WITH EXISTING CONDITIONS.



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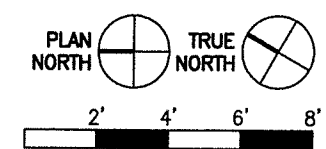
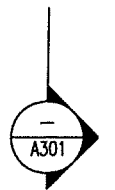
BYGGMEISTER DESIGN | BUILD
667A Sawmill Brook Parkway
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27 Leslie Road
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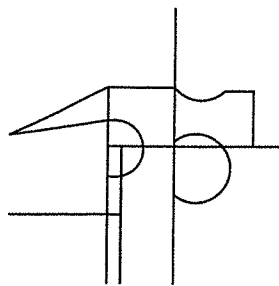


**DWYER-
WILMER
RESIDENCE**
15 ADAMS STREET
ARLINGTON, MA 02474
**ATTIC
FLOOR PLAN
PROPOSED**

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DATE: JUNE 30, 2022
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DRAWN BY: FYD

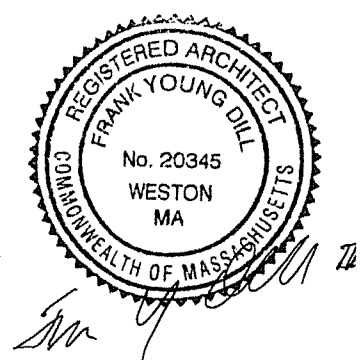
**A
103**





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DESIGN | BUILD

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667A Sawmill Brook Parkway
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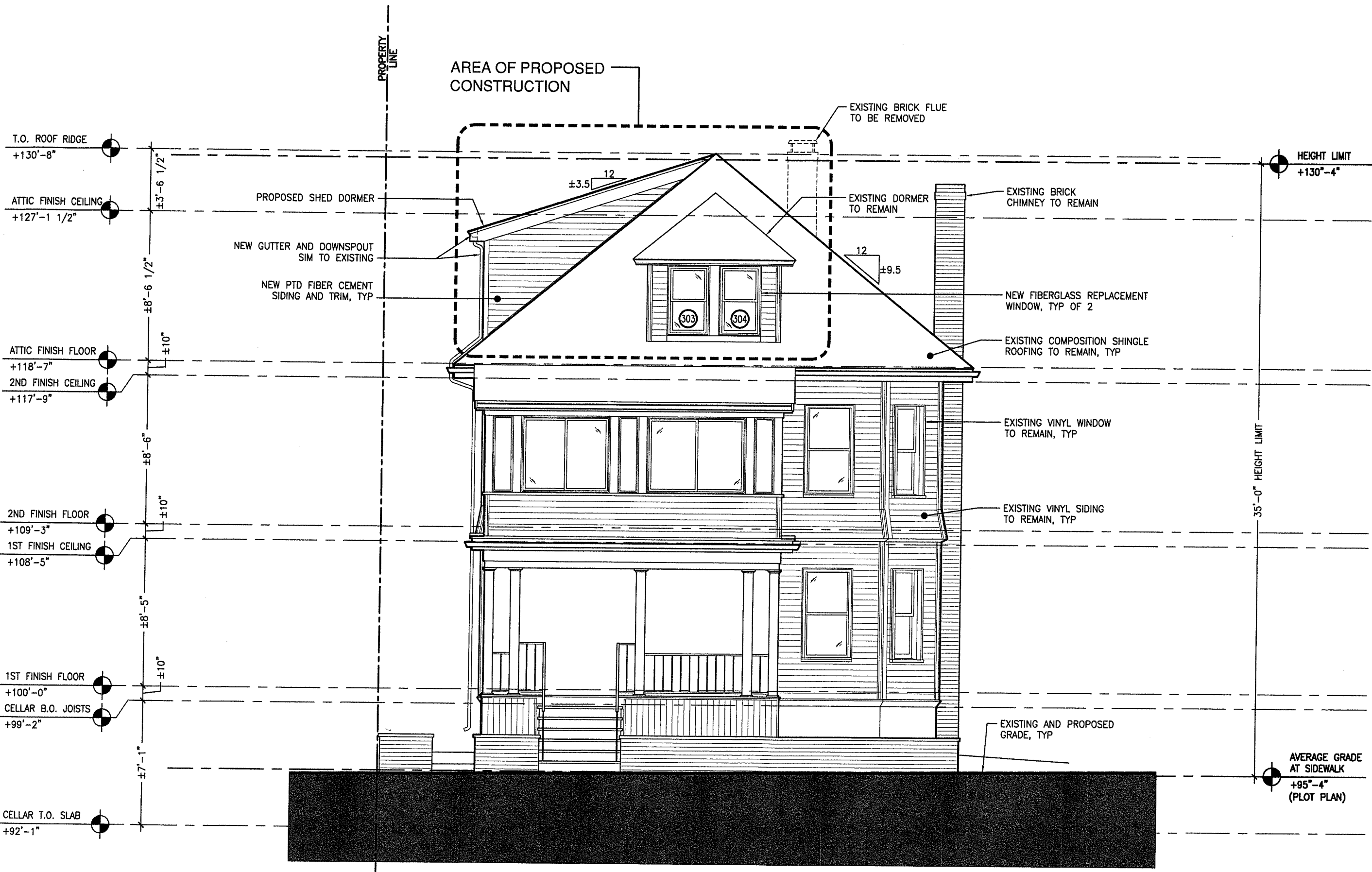
**DWYER-
WILMER
RESIDENCE**

15 ADAMS STREET
ARLINGTON, MA 02474

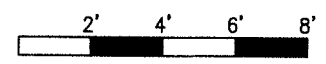
**NORTH EXTERIOR
ELEVATION
PROPOSED**

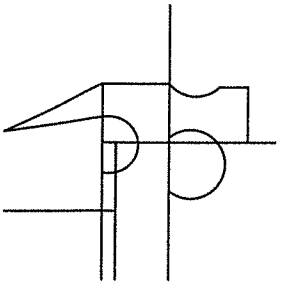
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DRAWN BY: FYD

**A
201**



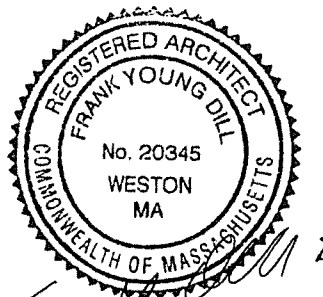
1 EXTERIOR ELEVATION: PROPOSED / North
SCALE: 1/4" = 1'-0"





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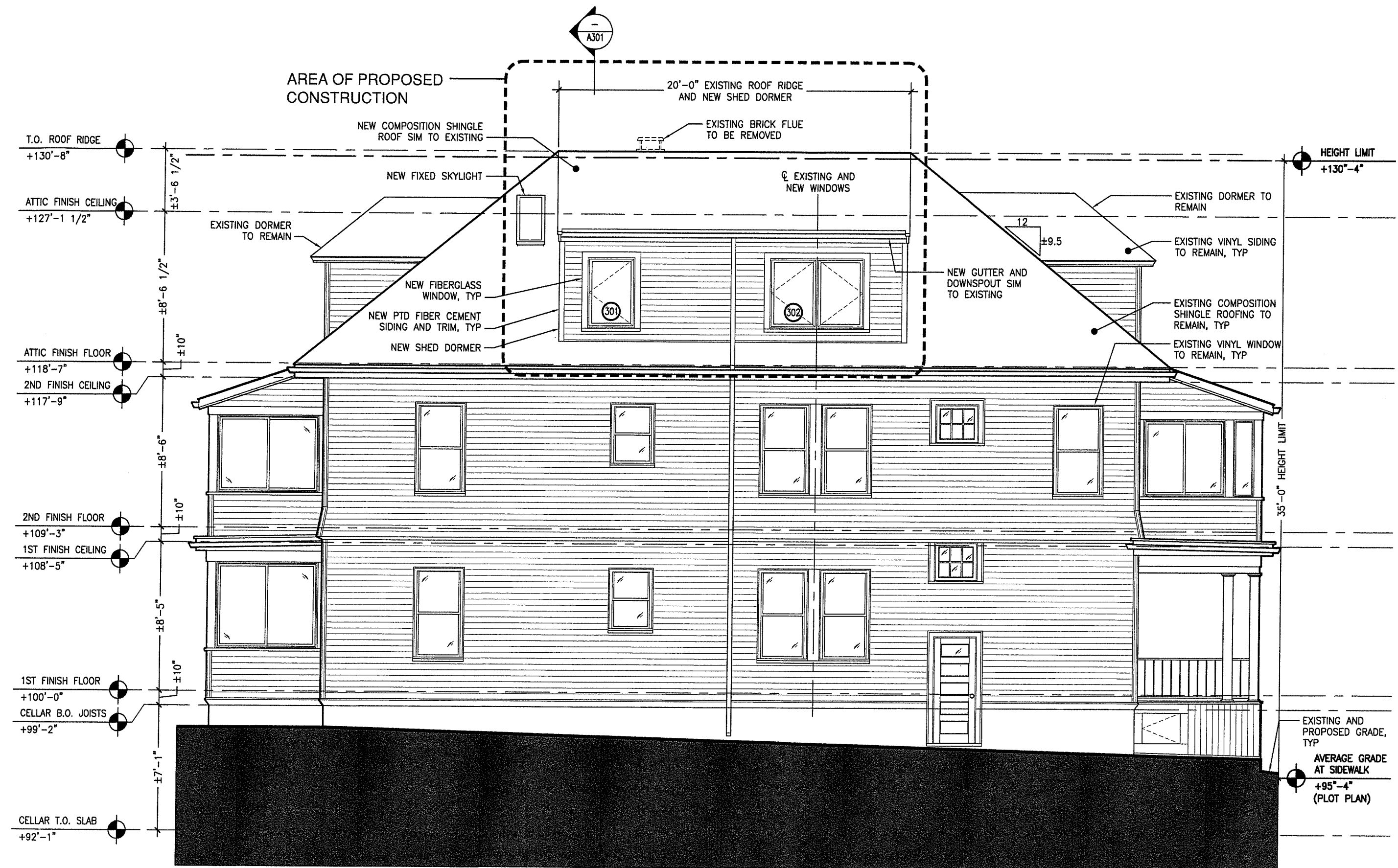
**DWYER-
WILMER
RESIDENCE**

15 ADAMS STREET
ARLINGTON, MA 02474

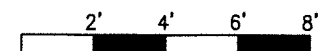
**EAST EXTERIOR
ELEVATION
PROPOSED**

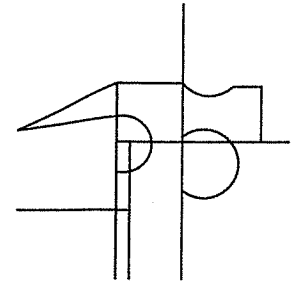
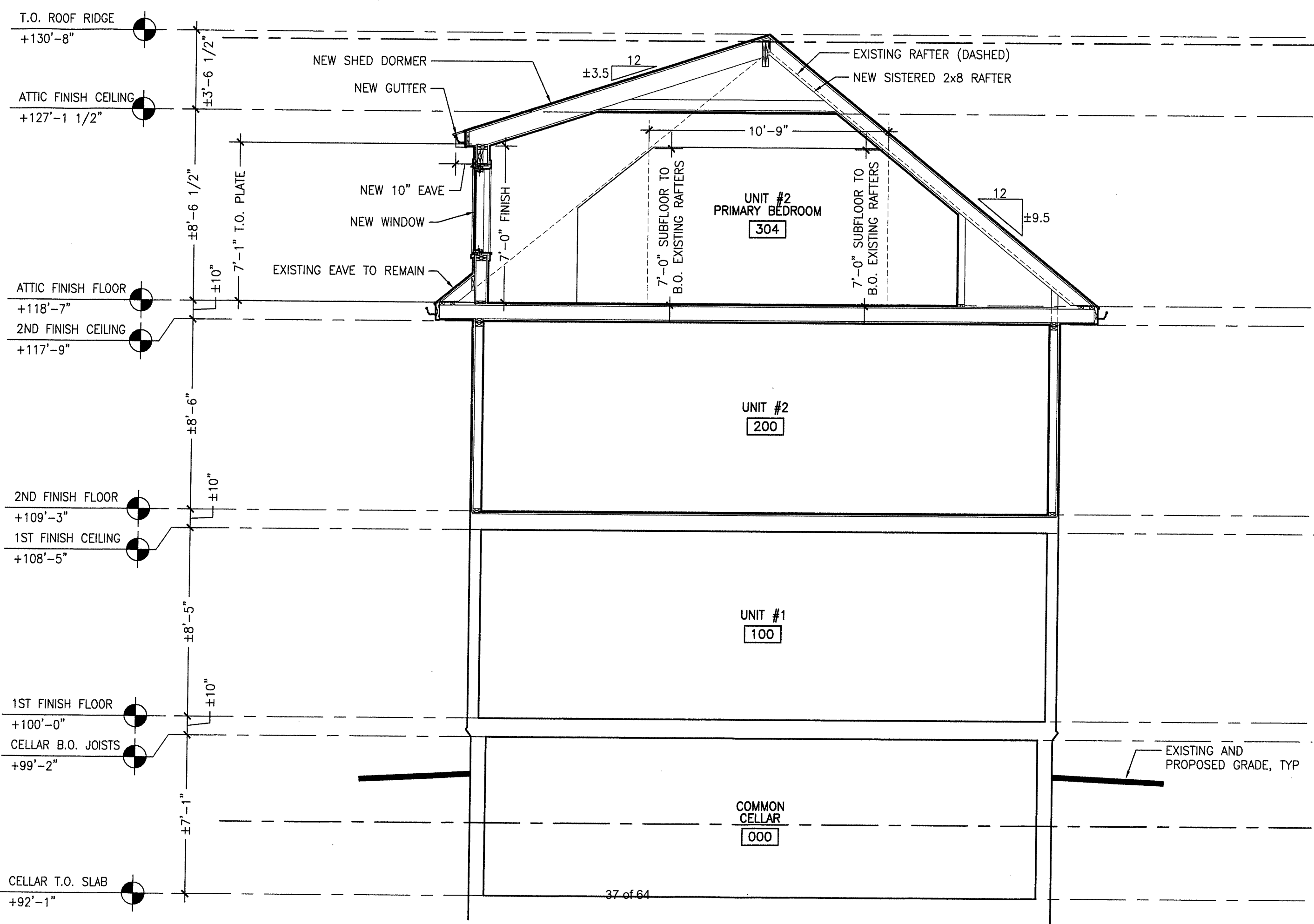
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DATE: JUNE 30, 2022
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DRAWN BY: FYD

**A
202**



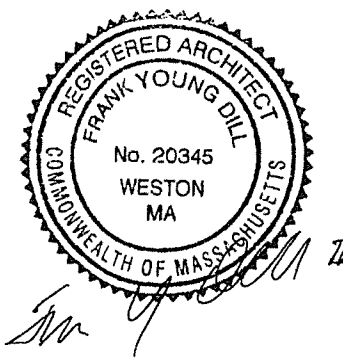
1 EXTERIOR ELEVATION: PROPOSED / East
SCALE: 1/4" = 1'-0"





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DESIGN | BUILD

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Newton, Massachusetts 02459
FRANK DILL ARCHITECTS
27 Leslie Road
Belmont, Massachusetts 02478

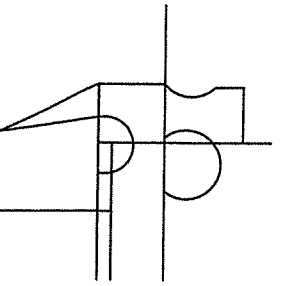


**DWYER-
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15 ADAMS STREET
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**BUILDING
SECTION
PROPOSED**

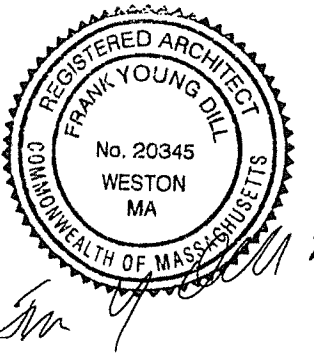
SPECIAL PERMIT SUBMISSION
DATE: JUNE 30, 2022
SCALE: 1/4" = 1'-0"
DRAWN BY: FYD

**A
301**



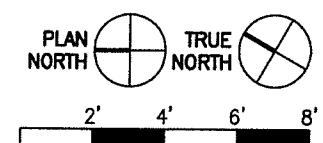
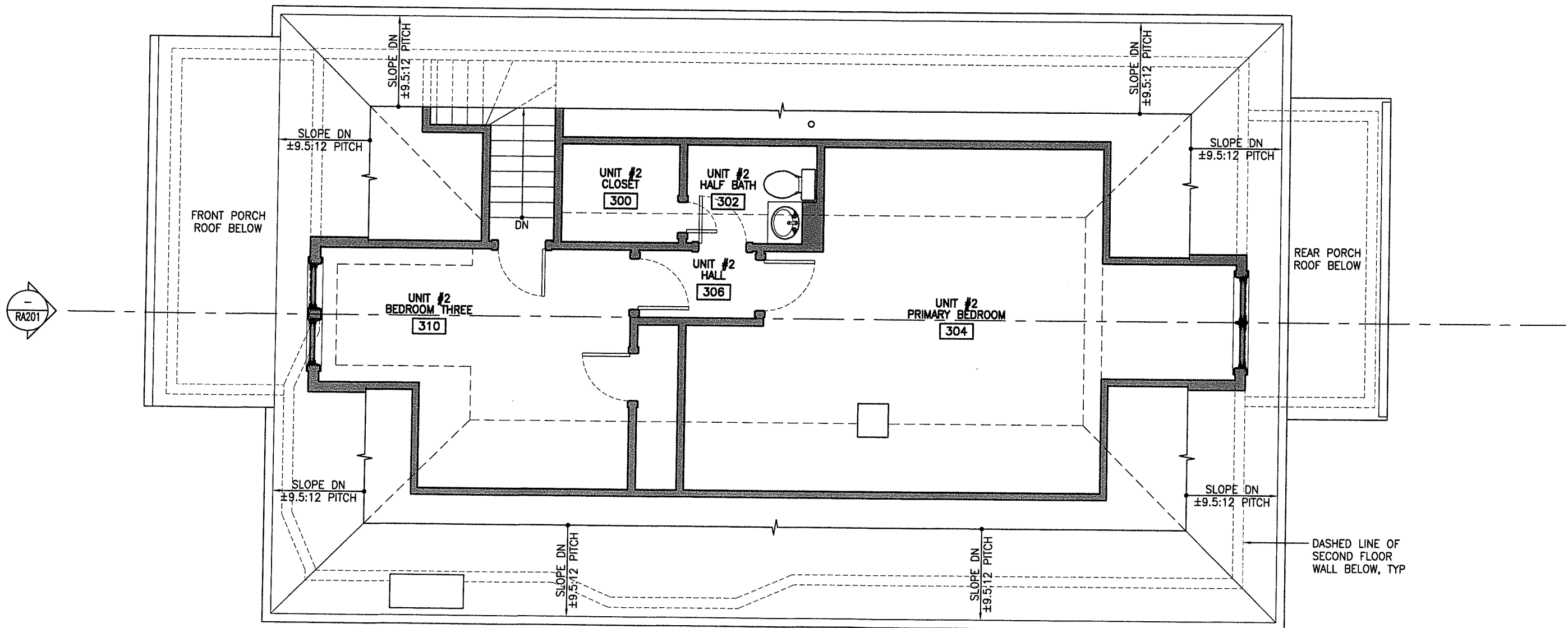
DESIGN | BUILD

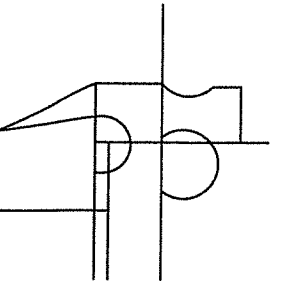
FRANK DILL ARCHITECTS
27 Leslie Road
Belmont, Massachusetts 02478



15 ADAMS STREET
ARLINGTON, MA 02474

SPECIAL PERMIT SUBMISSION
DATE: JUNE 30, 2022
SCALE: 3/16" = 1'-0"
DRAWN BY: FYD

RA
103



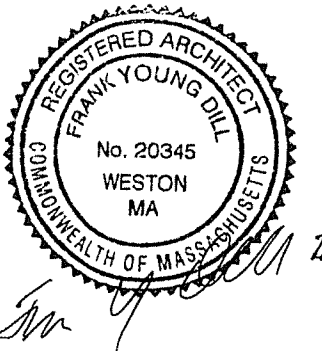
**BYGG
MEISTER**

DESIGN | BUILD

BYGGMEISTER DESIGN | BUILD

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Newton, Massachusetts 02459

FRANK DILL ARCHITECTS
27 Leslie Road
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**DWYER-
WILMER
RESIDENCE**

15 ADAMS STREET
ARLINGTON, MA 02474

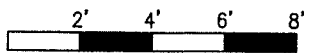
**NORTH EXTERIOR
ELEVATION
EXISTING**

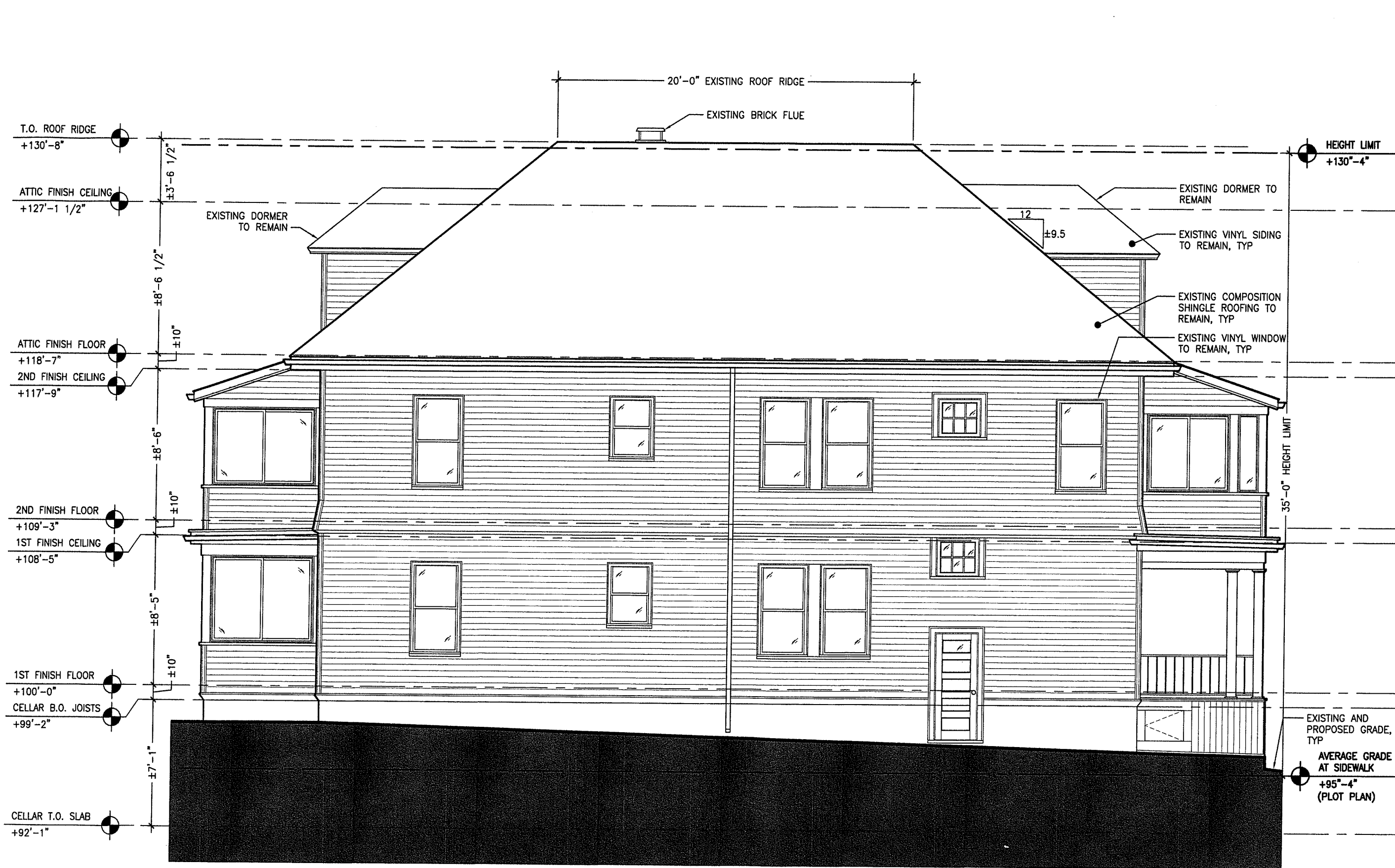
SPECIAL PERMIT SUBMISSION
DATE: JUNE 30, 2022
SCALE: 3/16" = 1'-0"
DRAWN BY: FYD

**RA
201**

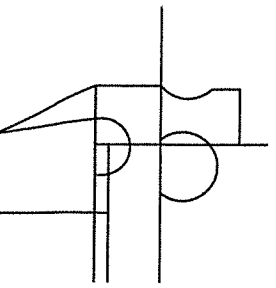


1 EXTERIOR ELEVATION: EXISTING / North
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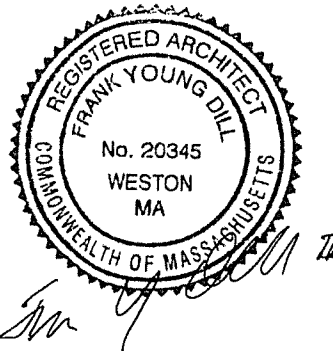


1 EXTERIOR ELEVATION: EXISTING / East
SCALE: 1/4" = 1'-0"



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**DWYER-
WILMER
RESIDENCE**

15 ADAMS STREET
ARLINGTON, MA 02474

**EAST EXTERIOR
ELEVATION
EXISTING**

SPECIAL PERMIT SUBMISSION
DATE: JUNE 30, 2022
SCALE: 3/16" = 1'-0"
DRAWN BY: FYD

**RA
202**



TOWN OF ARLINGTON
DEPARTMENT OF PLANNING and
COMMUNITY DEVELOPMENT

TOWN HALL, 730 MASSACHUSETTS AVENUE
ARLINGTON, MASSACHUSETTS 02476
TELEPHONE 781-316-3090

MEMORANDUM

To: Zoning Board of Appeals
From: Kelly Lynema, Acting Director, Dept. of Planning and Community Development
Marisa Lau, Senior Planner
Date: 8/3/2022
RE: Docket 3706 – 13-15 Adams St; Special Permit under Zoning Bylaw 8.1.3.B -
Nonconforming Single-Family or Two-Family Dwellings

The applicants, Anne Dwyer Wilmer and Jeremy Wilmer, seek a Special Permit in accordance with Section 8.1.3.B - Nonconforming Single-Family or Two-Family Dwellings of the Zoning Bylaw. The applicants seek to construct a shed dormer for a two-family home. The proposal would add 153 square feet of living area to the attic. The total square footage of the structure would increase from 4,183 SF to 4,336 SF (+153 SF) under the proposal.

The structure is in the R2 Zoning District and is nonconforming with the Zoning Bylaw's lot size; lot coverage; frontage; front and left side yard; height; and usable open space requirements. The applicant is not increasing the footprint of the existing structure. The addition would not increase any of the nonconformities of the existing structure.

The following is an application of the Special Permit criteria (Zoning Bylaw Section 3.3.3):

Criterion #1: Requested Use

The requested use is permitted through a Special Permit in the R2 zoning district.

Criterion #2: Public Convenience/Welfare

The existing two-family use will not change. This proposal would simply provide additional living space to the upper unit. The Board can find that this condition is met.

Criterion #3: Undue Traffic Congestion/Impairment of Public Safety

The existing two-family use will not change. There would not be an increase in traffic congestion or an impairment of public safety. The Board can find that this condition is met.

Criterion #4: Undue Burden on Municipal Systems

The existing two-family use will not change. There would not be an undue burden on municipal systems. The Board can find that this condition is met.

Criterion #5: Special regulations

This proposal would not result in the need for special regulations.

Criterion #6: Integrity/Character of District; Detrimental to Health, Morals, Welfare

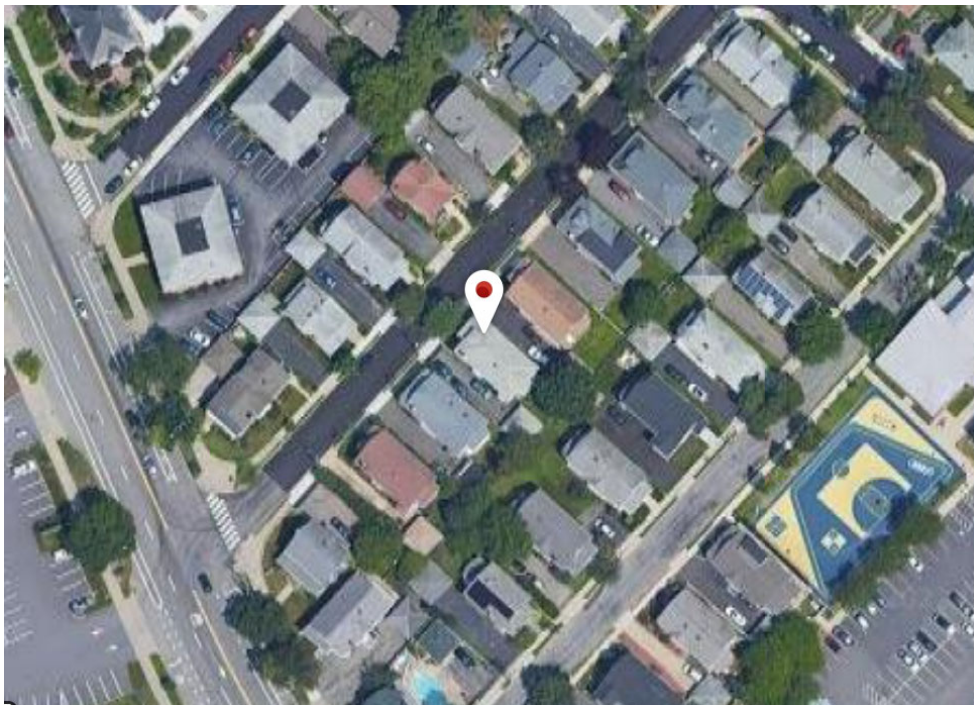
The homes in the vicinity of the property are primarily two-family structures. Large dormers in a variety of styles are a common feature in the neighborhood, especially along Adams Street and Foster Street. While the proposed dormer will increase the structure's massing, the addition is sufficiently set back from the front façade so as to avoid adding significant appearance of height beyond two stories from the street.

Consistent with the Residential Design Guidelines, the addition will complement the style of the existing structure and adjacent homes in the neighborhood. Overall, the proposal would not detrimentally impact the neighborhood character of the district or adjoining districts, nor will it be detrimental to the health, morals, or welfare of the neighbors of the property. However, the applicant is encouraged to explore the potential to adjust the location of the dormer windows to better align them with the window pattern on lower levels.¹

Criterion #7: Detrimental Excess in Particular Use

There would not be any detrimental excesses. The Board can find that this condition has been met.

Below are aerial and street-based photos of the current building:



¹ Residential Design Guidelines, Principles B-1 (pg. 26) and C-1 (pg. 36).
<https://www.arlingtonma.gov/home/showpublisheddocument?id=54518>



Recommendation:

The Department of Planning and Community Development (DPCD) maintains that the proposal is consistent with the Special Permit criteria and recommends that the Zoning Board of Appeals approve this application.

Related dockets:

- #3700: 38-40 Newport St – Applicant sought a special permit to construct an addition of two shed dormers on a nonconforming lot in the R2 Zoning District. Approved 7/12/2022.
- #3698: 39 Tufts St – Applicant sought a special permit to expand their existing attic with an addition of two dormers and roof replacement on a two-family structure on a nonconforming lot in the R1 Zoning District. Approved 5/24/2022.
- #3666: 14-16 Egerton Rd – Applicant sought a special permit to construct a half-story addition by expanding their existing attic with a shed dormer and to add a second driveway on a two-family structure on a nonconforming lot in the R2 Zoning District. Approved 10/12/2021.
- #3655: 34 Marathon St – Applicant sought a special permit to construct an addition of two shed dormers on the third level of a two-family structure on a nonconforming lot in the R2 Zoning District. Approved with conditions on 5/25/2021.



Town of Arlington, Massachusetts

Docket # 3708 : 12 Prospect Avenue

ATTACHMENTS:

Type	File Name	Description
▣ Reference Material	ZBA_Package__12_Prospect_Avenue.pdf	ZBA Package, 12 Prospect Avenue
▣ Memorandum	3708_12_Prospect_Ave.pdf	DPCD Memo re: Docket 3708, 12 Prospect Ave



Town of Arlington
Zoning Board of Appeals
51 Grove Street
Arlington, Massachusetts 02476
781-316-3396
www.arlingtonma.gov

LEGAL NOTICE

Notice is herewith given in accordance with the provisions of Section 3.2.3A of the Zoning Bylaws that there has been filed by **John and Althea Loakimidis** of Arlington, Massachusetts on July 1, 2022, a petition seeking permission to alter their property located at **12 Prospect Avenue- Block Plan 161.0-0005-0005.0** Said petition would require a Variance under **Section 5.4.2 Dimensional and Density Requirements** of the Zoning Bylaw for the Town of Arlington.

A hearing in regards to the petition will be conducted on **Tuesday evening August 9, 2022 at 7:30 P.M or as soon thereafter as the petitioner may be heard.** For the location and or “Zoom” information, visit the ZBA website at www.arlingtonma.gov/zba. This information will be posted within 48 hours of the hearing.

DOCKET NO 3708

Zoning Board of Appeals
Christian Klein, RA, Chair

Please direct any questions to: **ZBA@town.arlington.ma.us**

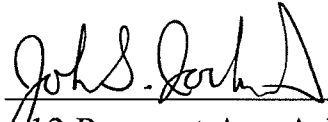
REQUEST FOR VARIANCE
TOWN OF ARLINGTON

In the matter of the Application of 12 Prospect Ave
to the Zoning Board of Appeals for the Town of Arlington:

Application for a Variance is herewith made, in accordance with Section 3.2 of the Zoning Bylaw of the Town of Arlington, Massachusetts seeking relief from the following specific provisions of the Zoning Bylaw, and as described more fully in the attached form, *Variance Criteria*:

Encroaching on the side set back to build an accesible bedroom and bathroom

The Petitioner/Applicant states he/she/they is/are the owner-occupant of the land in Arlington located at 12 Prospect Ave with respect to such relief is sought; that no unfavorable action has been taken by the Zoning Board of Appeals upon a similar petition regarding this property within the two (2) years next immediately prior to the filing hereof. The applicant expressly agrees to full compliance with any and all conditions and qualifications imposed upon this permission, whether by the Zoning Bylaw or by the Zoning Board of Appeals, should the same be granted. The Applicant represents that the grounds for the relief sought are as follows: We are seeking to build An accesible on-suit for our handicap daughter. The on-suit will have an accesible Bedroom, Bathroom, and mudroom ara for her wheele chair and equipment.

E- Mail: john.ioakimidis@yahoo.com Signed:  Date: 07/01/2022
Telephone: 781-646-3500 Address: 12 Prospect Ave Arlington

Variance Criteria:

The power of the Board of Appeals to grant a Variance from the literal application of the Zoning Bylaw is strictly limited by State Law. Under MGL, Chapter 40a, Section 10, the Board of Appeals must “specifically find” for a particular piece of land or a specific structure that “owing to circumstances relating to the soil conditions, shape, or topography of such land or structures and especially affecting such land or structures but not affecting generally the zoning district in which it is located, a literal enforcement of the provisions of the ... by-law would involve substantial hardship, financial or otherwise, to the petitioner ... , and that desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of such ordinance or bylaw.” (emphasis added.)

Thus, Under State Law, a Variance may only be granted when **all of the four (4) following criteria are met:**

1). Describe the circumstances relating to the soil conditions, shape, or topography especially affecting such land or structures but not affecting generally the Zoning District in which it is located that would substantiate the granting of a Variance.

The soil conditions isrocky/sandy. the topo is flat.

2). Describe how a literal enforcement of the provisions of the Zoning Bylaw, specifically relating to the circumstances affecting the land or structure noted above, would involve substantial hardship, financial or otherwise, to the Petitioner or Appellant.

The On-suit needs to have accesibilty.

3). Describe how desirable relief may be granted without substantial detriment to the public good.

N/A

4). Describe how desirable relief may be granted ... without nullifying or substantially derogating from the intent or purpose of the Zoning Bylaw of the Town of Arlington, Massachusetts.

The On-suit needs to have accesibilty.

State Law (MGL Chapter 40a, Section 10) requires that the Zoning Board of Appeals must find that all four (4) criteria are met in order to be authorized to grant a Variance. If any one of the standards is not met, the Board must deny the Variance.

TOWN OF ARLINGTON
Dimensional and Parking Information
For Applications to the Zoning Board of Appeals

1. Property Location: 12 Prospect Ave Zoning District: _____

2. Present Use/Occupancy: Single Family No. of dwelling units 1

3. Existing Gross Floor Area (refer to Section 5.3.22 of the Zoning Bylaw and provide supporting documentation [worksheet and drawings] showing dimensions of GFA by floor):
1800 Sq. Ft.

4. Proposed Use/Occupancy: Single Family No. of dwelling units 1

5. Proposed Gross Floor Area (refer to Section 5.3.22 of the Zoning Bylaw and provide supporting documentation [worksheet and drawings] showing dimensions of GFA by floor):
2500 Sq. Ft.

	Present Conditions	Proposed Conditions	Min. or max Required by Zoning
6. Lot size (Sq. Ft.)	12,188		min.
7. Frontage (Ft.)	70.84		min.
8. Floor area ratio			max.
9. Lot Coverage (%)	10%		max
10. Lot Area per Dwelling Unit (Sq. Ft.)	2500		min.
11. Front Yard Depth (Ft.)	41		min.
12. Left Side Yard Depth (Ft.)	25		min.
13. Right Side Yard Depth (Ft.)	19		min.
14. Rear Yard Depth (Ft.)	102		min.
15. Height (Stories)	2		max.
16. Height (Ft.)	28		max.
17. Landscaped Open Space (Sq. Ft.) Refer to Section 2 in the Zoning Bylaw.	8000		
17A. Landscaped Open Space (% of GFA)	8000		min.
18. Usable Open Space (Sq. Ft.) Refer to Section 2 in the Zoning Bylaw.	8000		
18A. Usable Open Space (% of GFA)	8000		min.
19. Number of Parking Spaces	4		min.
20. Parking area setbacks (if applicable)	N/A		min.
21. Number of Loading Spaces (if applicable)	N/A		min.
22. Type of construction	wood		N/A
23. Slope of proposed roof(s) (in. per ft.)	12-12		min.

TOWN OF ARLINGTON
Open Space / Gross Floor Area Information
For Applications to the Zoning Board of Appeals

Refer to Section 2: *Definitions*, and Section 5: *District Regulations* in the Zoning Bylaw of the Town of Arlington before completing this form.

Address: 12 Prospect Ave Zoning District: _____

<u>OPEN SPACE*</u>	EXISTING	PROPOSED
Total lot area	_____	_____
Open Space, Usable	8000	_____
Open Space, Landscaped	8000	_____

* Refer to the Definitions in Section 2 of the Zoning Bylaw.

GROSS FLOOR AREA (GFA) †

Accessory Building	_____	_____
Basement or Cellar (meeting the definition of Story, excluding mechanical use areas)	_____	_____
1 st Floor	1000	_____
2 nd Floor	800	_____
3 rd Floor	_____	_____
4 th Floor	_____	_____
5 th Floor	_____	_____
Attic (greater than 7’-0” in height, excluding elevator machinery; or mechanical equipment)	_____	_____
Parking garages (except as used for accessory parking or off-street loading purposes)	_____	_____
All weather habitable porches and balconies	_____	_____
Total Gross Floor Area (GFA)	1800	_____

† Refer to Definition of Gross Floor Area in Section 2 and Section 5 of the Zoning Bylaw.

REQUIRED MINIMUM OPEN SPACE AREA

Landscaped Open Space (Sq. Ft.)	8000	_____
Landscaped Open Space (% of GFA)	8000	_____
Usable Open Space (Sq. Ft.)	8000	_____
Usable Open Space (% of GFA)	8000	_____

This worksheet applies to plans dated 07/01/2022 designed by Constandinos Ioakimidis

Reviewed with Building Inspector: Richard Vallarelli Date: 07/01/2022

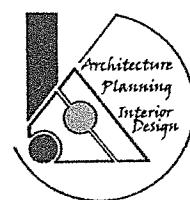


Project:

ADDITION & ALTERATIONS
12 PROSPECT AVENUE
ARLINGTON, MA 02476

Prepared for:

**MS. ALTHEA IOAKIMIDIS
MR. JOHN IOAKIMIDIS
12 PROSPECT AVENUE
ARLINGTON, MA 02476**



KRITIKOS ARCHITECTS

14 Olsen Road Peabody, MA 01960
(978) 531-4164 E-Mail: phil@kritikosarchitects.com
www.kritikosarchitects.com

NOTE #1:
ALL WORK SHALL COMPLY WITH THE COMMONWEALTH OF MASSACHUSETTS STATE BUILDING CODE, THE REQUIREMENTS OF THE TOWN OF TOPSFIELD, THE OCCUPATIONAL AND HEALTH STANDARDS AND ALL OTHER APPLICABLE REGULATIONS, LAWS, ORDINANCES ETC. GOVERNING THE WORK.

NOTE #2:
ALL PLAN AND DETAIL DIMENSIONS SHOULD BE VERIFIED IN THE FIELD PRIOR TO COMMENCING THE WORK. THE CONTRACTOR SHALL NOTIFY THE ARCHITECT OF ALL DEVIATIONS IN THE DIMENSIONS AND LOCATIONS ETC. BEFORE PROCEEDING WITH AFFECTED PART OF THE WORK.

NOTE #3:
DO NOT SCALE THESE DRAWINGS FOR QUANTITIES, LENGTHS, SIZES, AREAS,
CLEARANCES ETC.

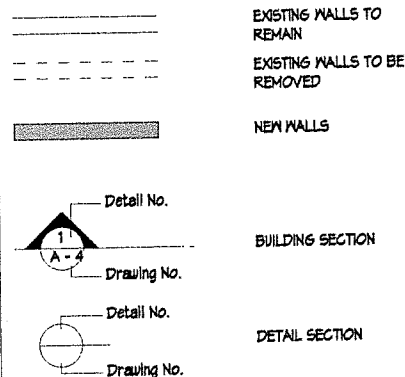
NOTE #4:
IT IS NOT INTENDED THAT THESE DRAWINGS SHOW EVERY CUT, CONDITION ETC. OF THIS SYSTEM.

NOTE #5:
SITE SHALL BE LEFT CLEAN AT THE END OF EACH WORKING DAY. ALL DEBRIS SHALL BE PICKED UP AND PLACED IN CONTAINERS, CONSTRUCTION QUALITY BAGS, DUMPSTER OR OTHER ACCEPTABLE MEANS.

NOTE #6:
ALL CONSTRUCTION DEBRIS SHALL BE PROPERLY DISPOSED OF DURING THE EXTENT OF THE WORK, AND THE SITE SHALL BE LEFT COMPLETELY CLEAN AND FREE OF DEBRIS AT THE END OF THE CONTRACT. ALL DEBRIS SHALL BE PROPERLY DISPOSED OF.

NOTE #7:
THE CONTRACTOR SHALL TEMPORARILY DISCONNECT AND REMOVE ALL EXISTING SERVICES THAT INTERFERE WITH THE PROPER INSTALLATION OF THE NEW CONSTRUCTION. CONTRACTOR IS RESPONSIBLE TO NOTIFY THE ARCHITECT/OWNER OF THESE SERVICES BEFORE DISCONNECTION, REINSTALL AND RECONNECT ALL TEMPORARILY DISCONNECTED AND REMOVED ITEMS TO THE SATISFACTION OF THE OWNER.













NOTE #8:
ALL AREAS DISTURBED OR DAMAGED AS A RESULT OF WORK BEING PERFORMED ARE TO BE PATCHED OR REPLACED TO MATCH ADJACENT SURFACES.



LIST OF DRAWINGS

- A-0 TITLE PAGE
A-1 EXISTING FIRST & SECOND FLOOR PLANS
A-2 EXISTING ELEVATIONS
A-3 PROPOSED BASEMENT & FIRST FLOOR PLANS
A-4 PROPOSED SECOND FLOOR PLAN & PROPOSED ELEVATIONS
A-5 PROPOSED ELEVATIONS
A-6 ROOF PLAN, SECTION & DETAILS
A-7 FOUNDATION PLAN, FIRST FLOOR FRAMING PLAN,
SECTIONS & DETAILS
A-8 SECOND FLOOR FRAMING PLAN, ROOF FRAMING PLAN & DETAILS

MATERIAL LEGEND & SYMBOLS

	EARTH
	COMPACTED GRANULAR FILL
	INSULATION
	INSULATION (RIGID)
	CONCRETE
	CONCRETE MASONRY UNITS
	STEEL
	LUMBER (ROUGH)
	LUMBER (FINISHED)
	STONE
	BRICK
	GYPSUM BOARD OR PLASTER
	PLYWOOD

NOTE
MATERIAL SYMBOLS ARE NOT
ALL NECESSARILY INCLUDED.

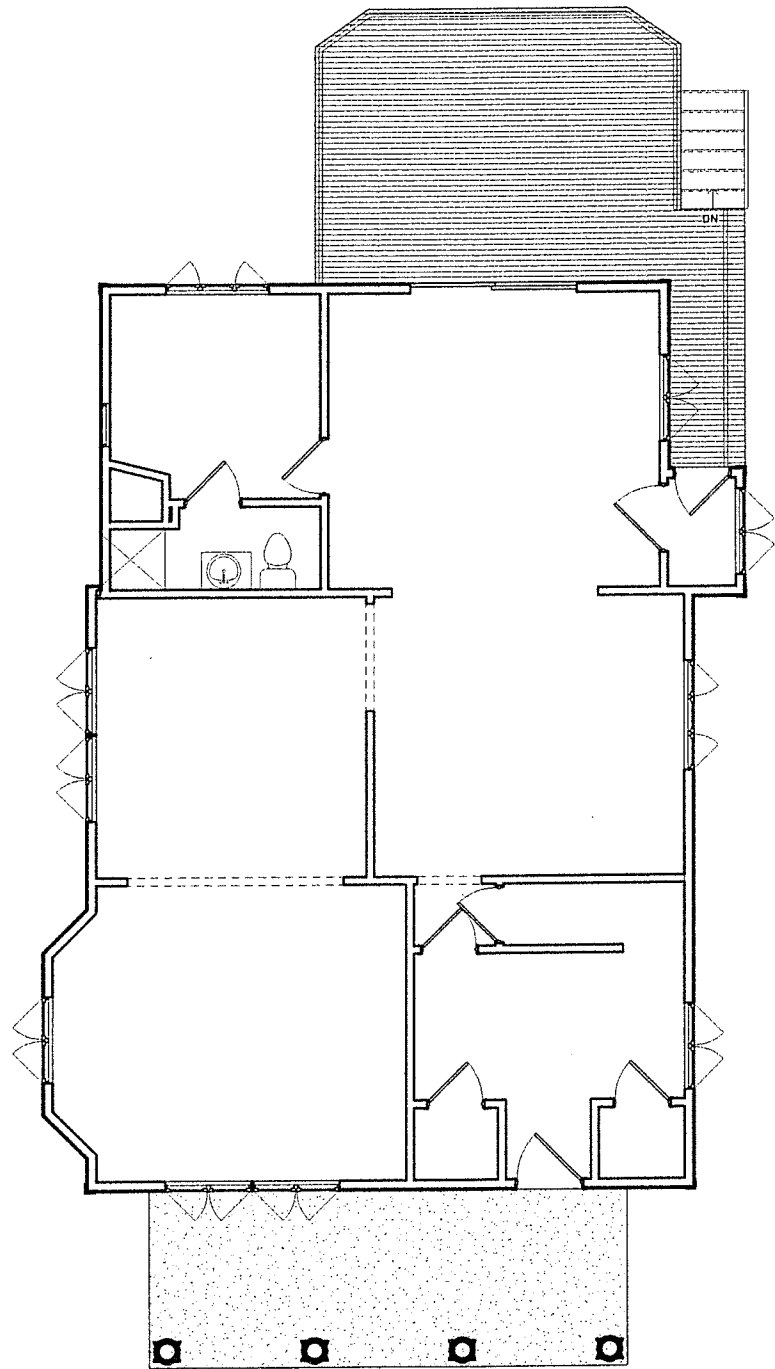
NOTE:
DIMENSIONS TAKEN AT NEW CONSTRUCTION ARE
TO FACE OF STUD UNLESS OTHERWISE NOTED.
DIMENSIONS TO EXISTING CONSTRUCTION ARE TO
EXISTING FINISHES.

NOTE:
ANY MATERIALS SPECIFIED IN THESE DRAWINGS ARE
NOT TO BE SUBSTITUTED WITHOUT THE AUTHORIZATION
OF THE ARCHITECT.

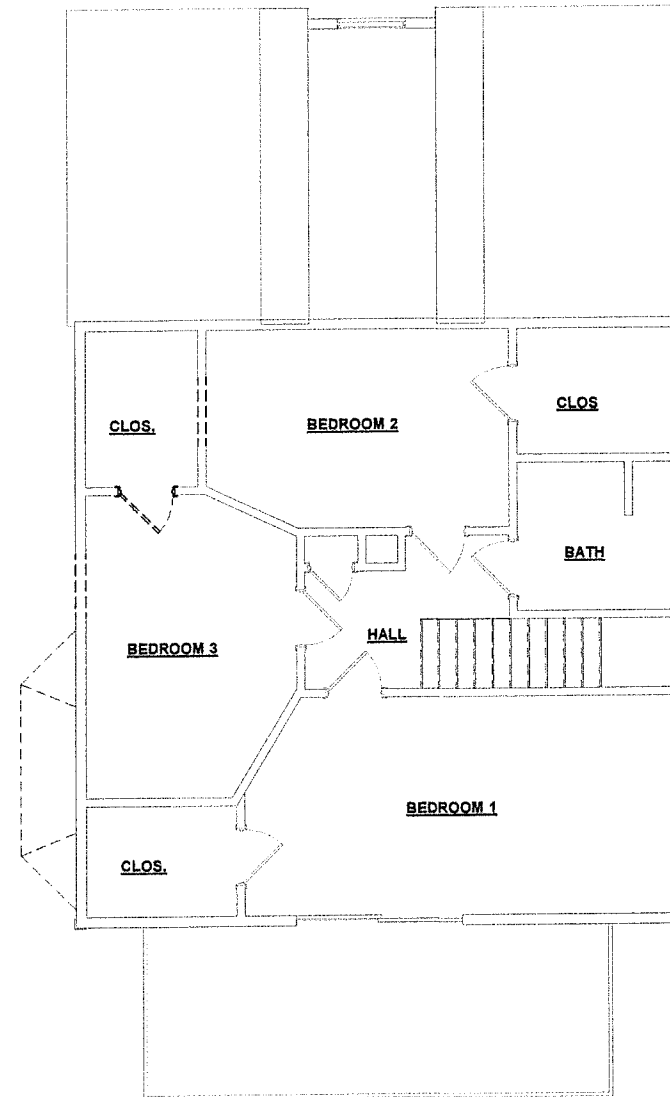
ABBREVIATIONS

APFL	Above Finished Floor	GL	Glass	STL	Steel
AL	Aluminum	GMB	Gypsum Wall Board	STOR	Storage
BD	Board	HP	Handicapped	SUSP	Suspended
BLDG	Building	HDP	High Density Polymer	T & G	Tongue & groove
CFB	Cement Fiber Board	HR	Hour	THK	Thick
CLS	Ceiling	HT	Height	TYP	Typical
CLR	Clear	INSUL	Insulation/insulated	VCB	Vinyl Cove Base
COL	Column	LT	Light	VIF	Verity in Field
CONC	Concrete	MAX	Maximum	VPB	Veneer Plaster Base
CONSTR	Construction	MECH	Mechanical	WC	Water Closet
CONT	Continuous	MIN	Minimum	WD	Wood
CPT	Carpet	MISC	Miscellaneous	W	With
CT	Ceramic Tile	MO	Masonry Opening	W/O	Without
GTR	Center	N/A	Not Applicable	WT	Weight
DET	Detail	NC	Not in Contract		
DIA	Diameter	NTS	Not To Scale		
DISP	Dispenser	OPP	Opposite		
DN	Down	P. LAM	Plastic Laminate		
DWG	Drawing	PL	Plaster		
ELEG	Electric (Electrical)	PTD	Painted		
EQ	Equal	REQ	Required		
ETR	Existing to Remain	RO	Rough Opening		
EXIST	Existing	SM	Similar		
FFL	Finished Floor	SSS	Stainless Steel		
GA	Gauge	STD	Standard		

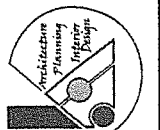




① EXISTING FIRST FLOOR PLAN
1/4" = 1'-0"



② EXISTING SECOND FLOOR PLAN
1/4" = 1'-0"



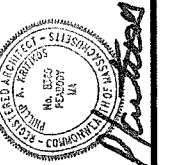
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E-Mail: phil@kritikosarchitects.com
www.kritikosarchitects.com

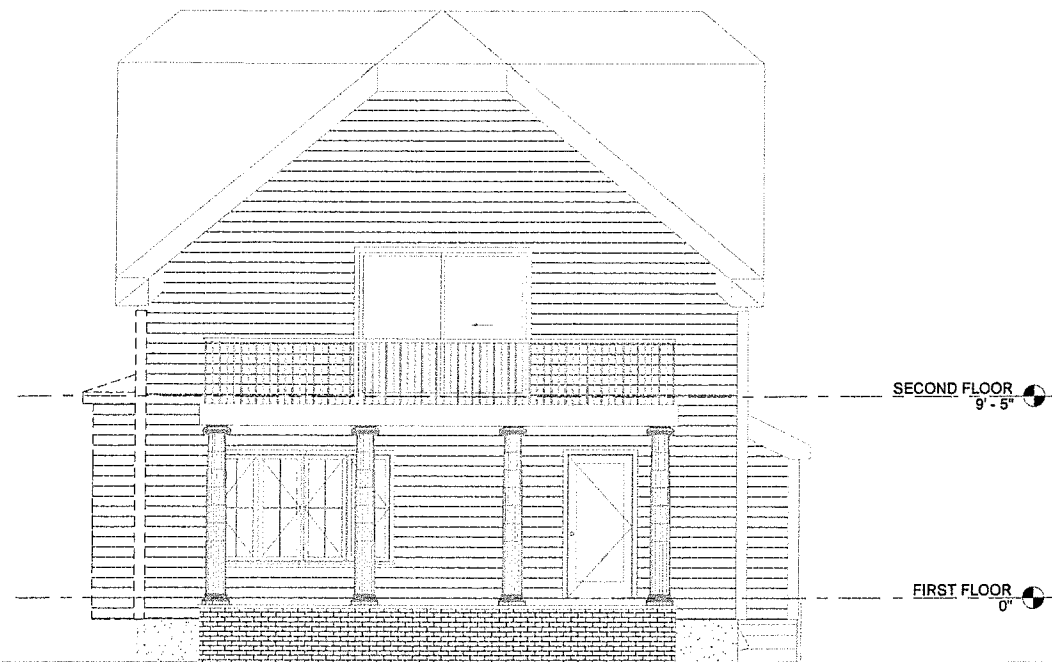
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12 PROSPECT AVENUE
ARLINGTON, MA 02476
CLIENT NAME # MS. ALTHEA LOANSHED'S
JOHN LOANSHED'S
12 PROSPECT AVENUE
ARLINGTON, MA 02476

DATE: 5-23-2022
SCALE: AS NOTED
DRAWN BY: Author

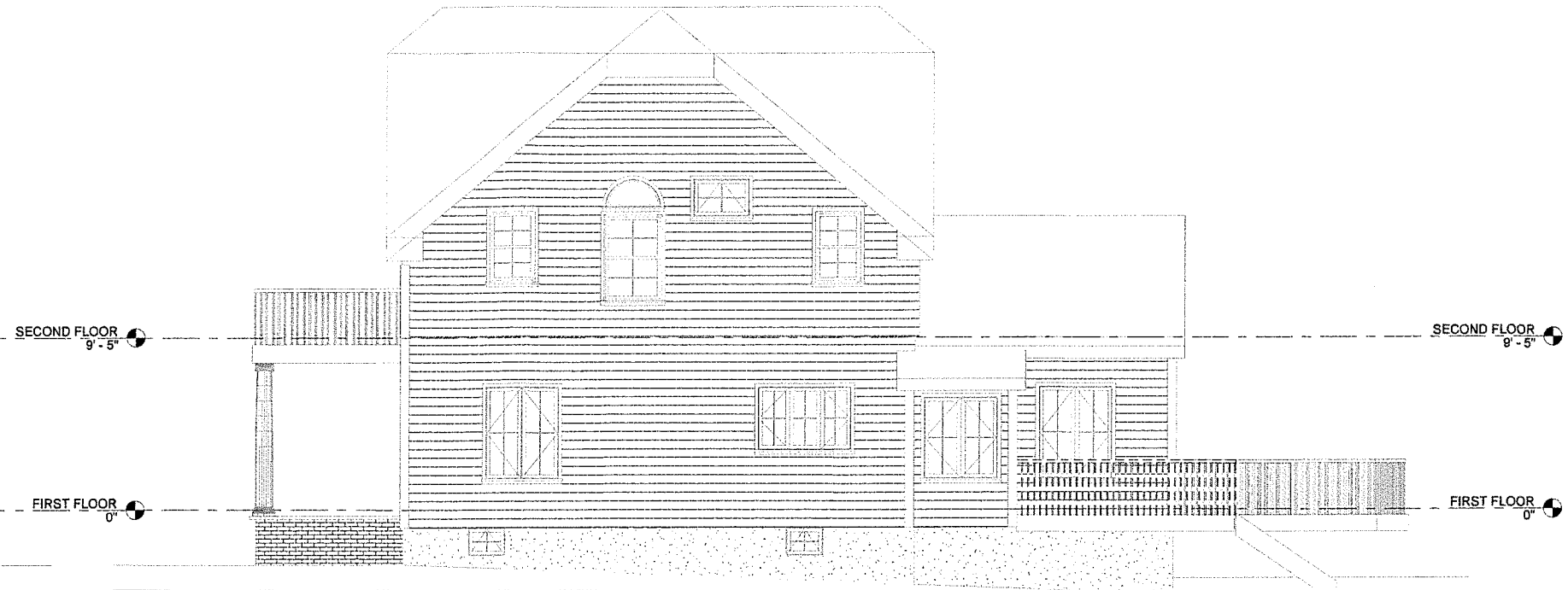
DRAWING TITLE EXISTING FIRST & SECOND FLOOR PLANS

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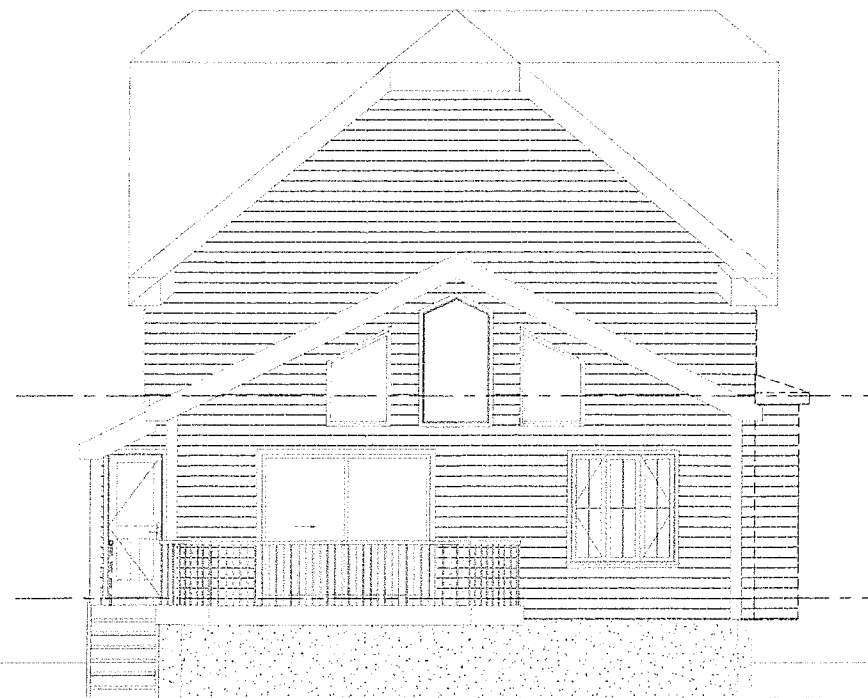




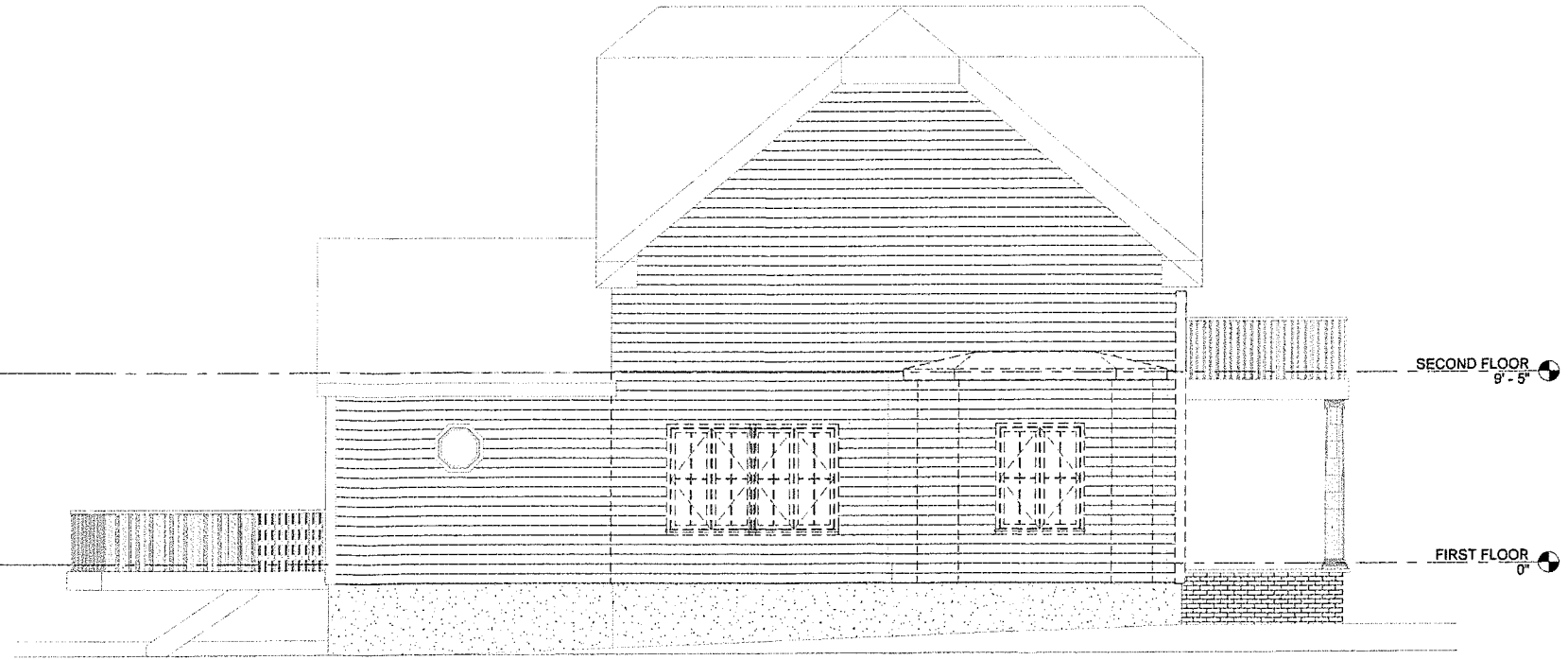
① EXISTING FRONT ELEVATION
1/4" = 1'-0"



② EXISTING RIGHT ELEVATION
1/4" = 1'-0"



③ EXISTING REAR ELEVATION
1/4" = 1'-0"



④ EXISTING LEFT ELEVATION
1/4" = 1'-0"



DRAWING TITLE: EXISTING ELEVATIONS

DATE: 5-23-2022

SCALE: AS NOTED

DRAWN BY: Author

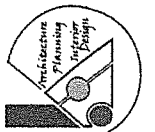
REVISIONS:

JOB TITLE #: ADDITION & ALTERATIONS
12 PROSPECT AVENUE
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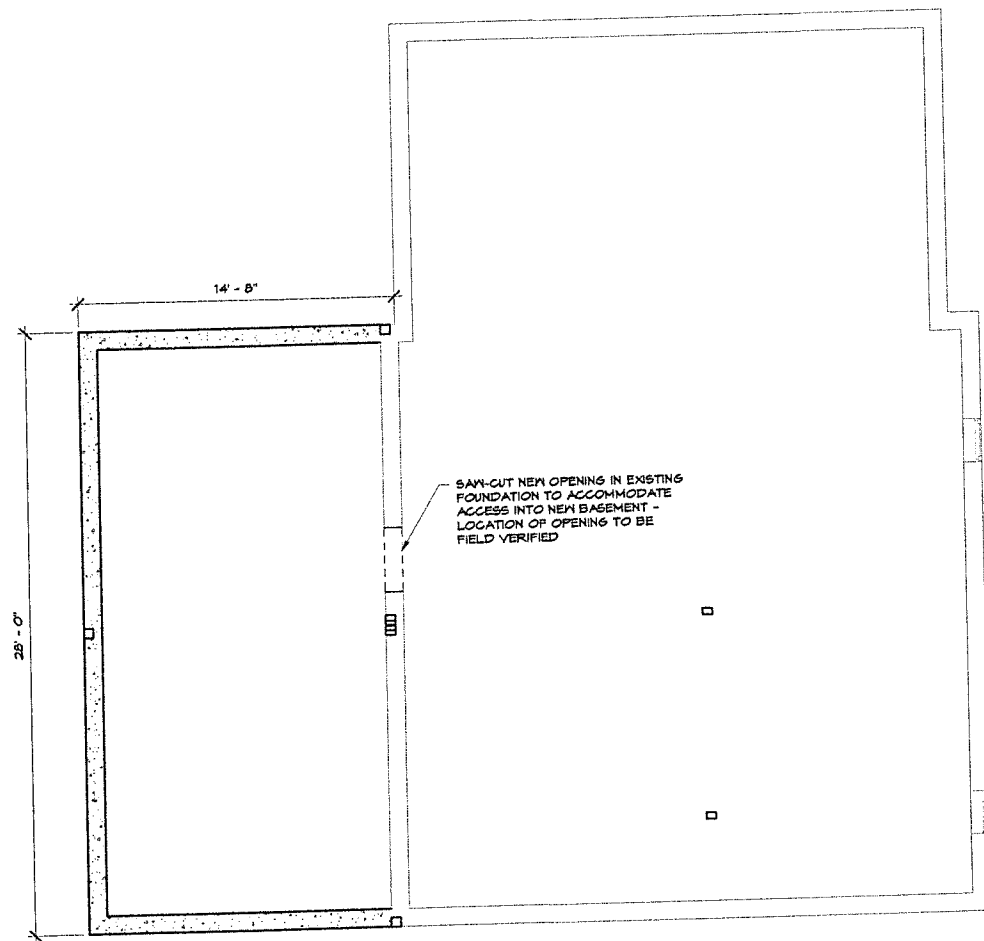
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MR. JOHN IOAKIMIDIS
12 PROSPECT AVENUE
ARLINGTON, MA 02476

KRITIKOS ARCHITECTS

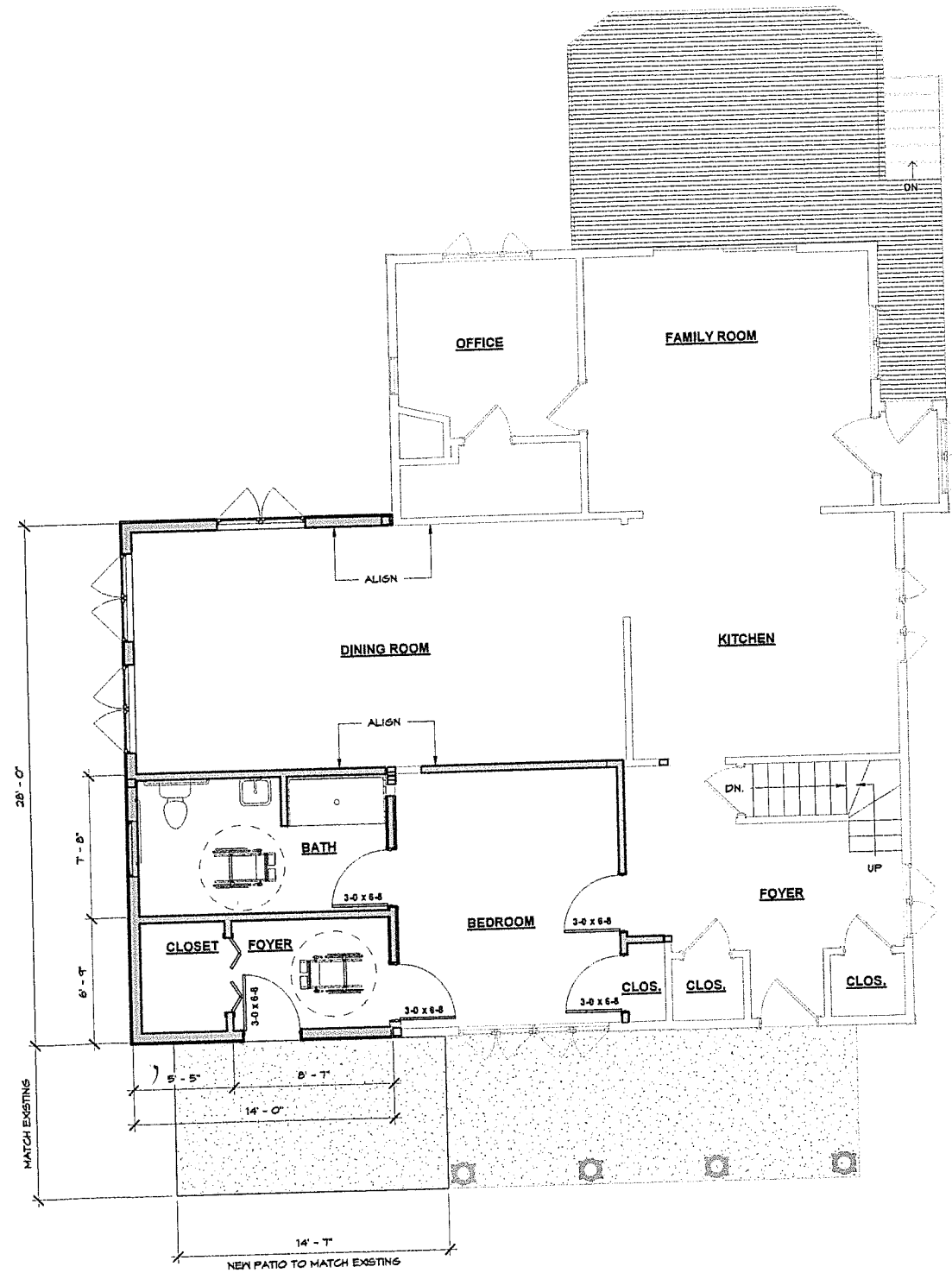
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E-Mail: phil@kritikosarchitects.com
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A-2



② BASEMENT FLOOR PLAN
1/4" = 1'-0"



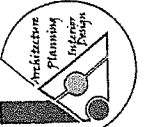
① PROPOSED FIRST FLOOR PLAN
1/4" = 1'-0"



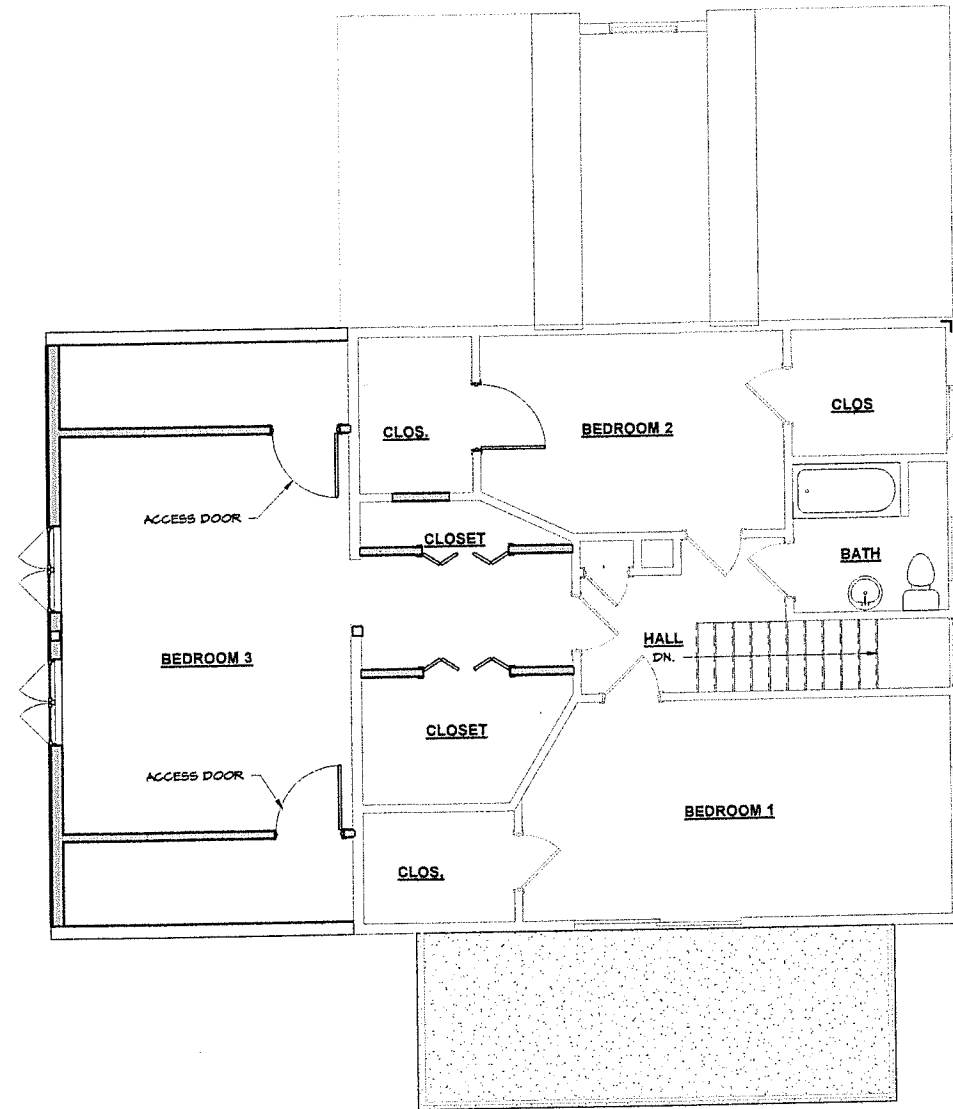
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SCALE: AS NOTED	DRAWN BY: Author
JOB TITLE # ADDITION & ALTERATIONS 12 PROSPECT AVENUE ARLINGTON, MA 02476	CLIENT NAME & ADDRESS MR. ALTHEA KONKINIDIS MR. JOHN KONKINIDIS 12 PROSPECT AVENUE ARLINGTON, MA 02476

KRITIKOS ARCHITECTS

14 Olsen Road Peabody, MA 01960 (978) 531-4164
E-Mail: phi@kritikosarchitects.com
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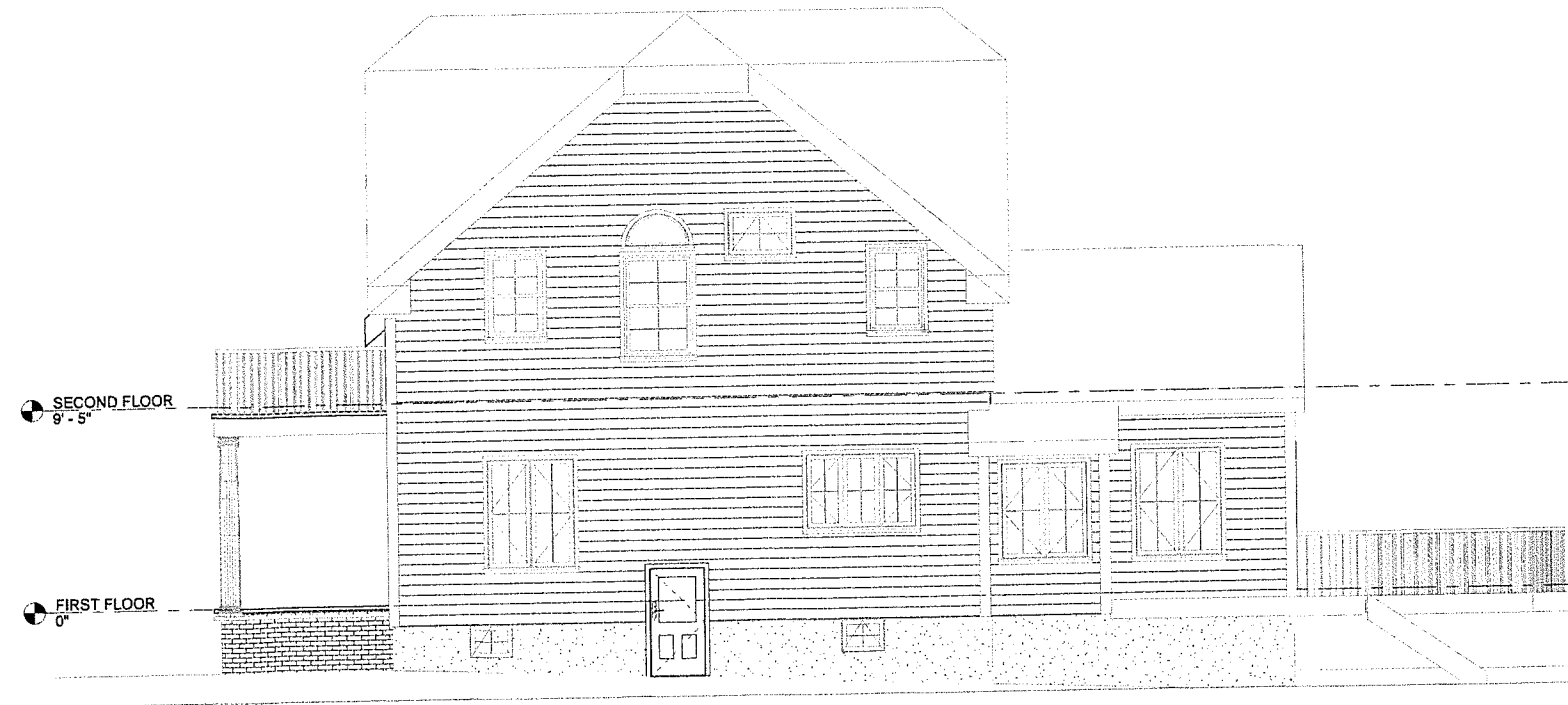
A-3



③ PROPOSED SECOND FLOOR PLAN
1/4" = 1'-0"



① PROPOSED FRONT ELEVATION
1/4" = 1'-0"



② PROPOSED RIGHT ELEVATION
1/4" = 1'-0"

KRITIKOS ARCHITECTS
 14 Olsen Road Peabody, MA 01960 (978) 531-4164
 E-Mail: phil@kritikosarchitects.com
 www.kritikosarchitects.com

A-4

STAMP:

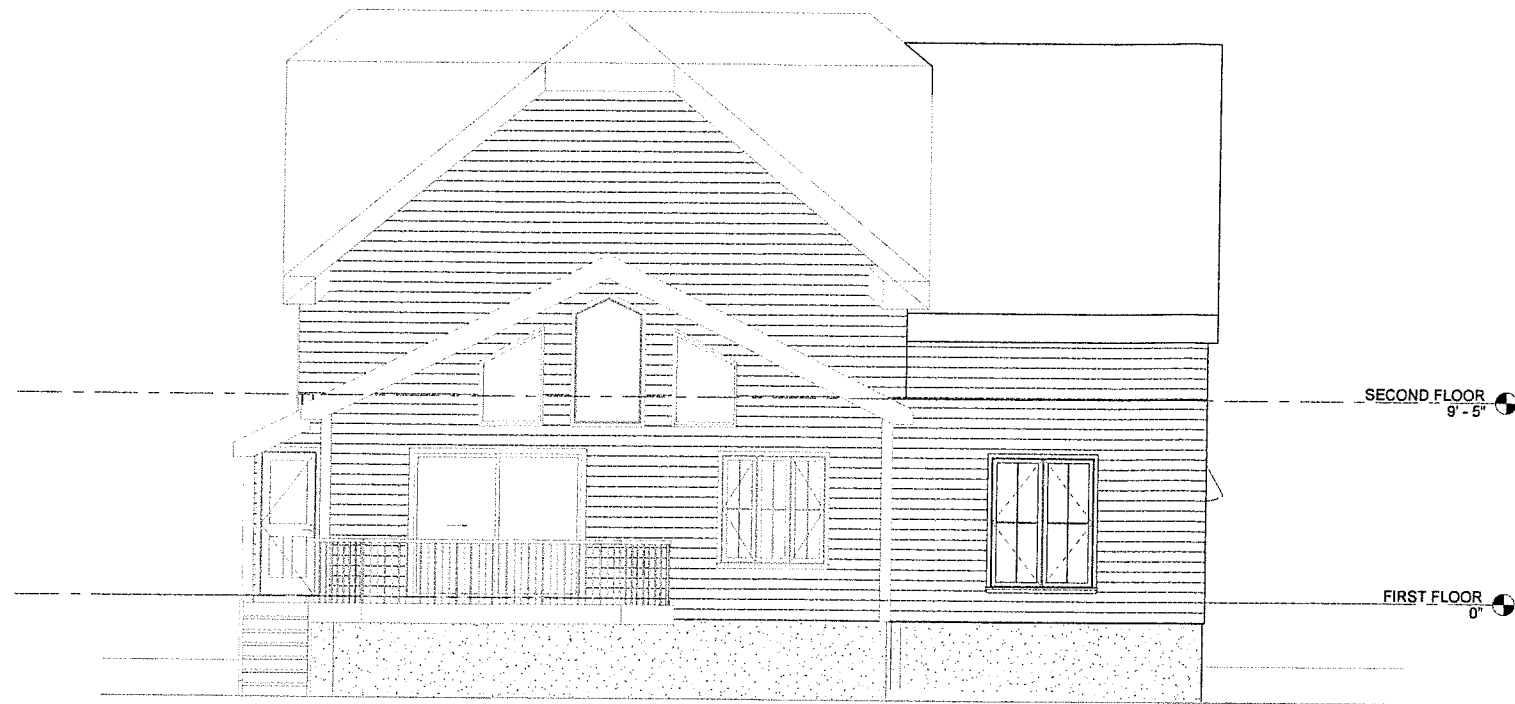
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REVISIONS:

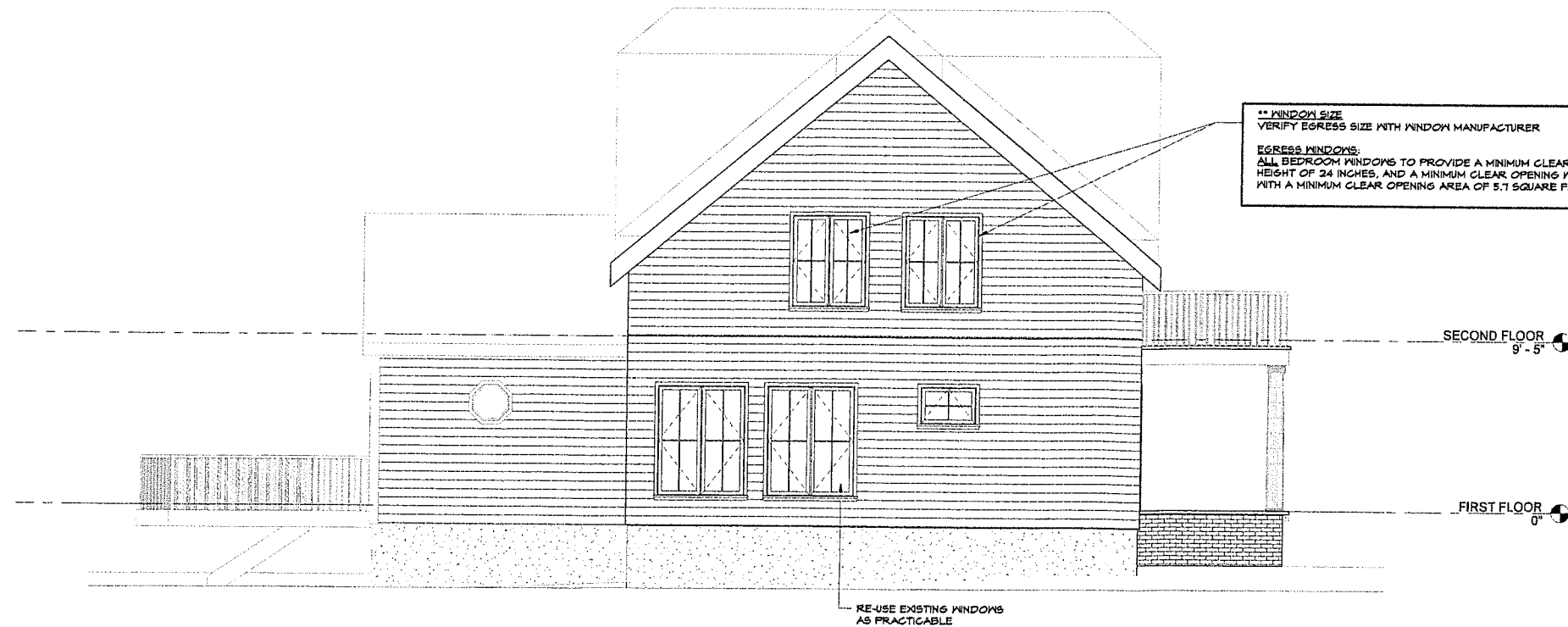
DRAWING TITLE: PROPOSED SECOND FLOOR PLAN & PROPOSED ELEVATIONS

JOB TITLE #: ADDITION & ALTERATIONS
 12 PROSPECT AVENUE
 ARLINGTON, MA 02476

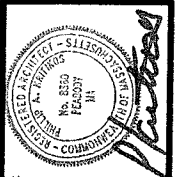
CLIENT NAME #: MR. ALTHEA KONKINIS
 MR. JOHN KONKINIS
 12 PROSPECT AVENUE
 ARLINGTON, MA 02476



① PROPOSED REAR ELEVATION
1/4" = 1'-0"



② PROPOSED LEFT ELEVATION
1/4" = 1'-0"



STAMP

DRAWING TITLE: PROPOSED ELEVATIONS

DATE: 5-23-2022

JOB TITLE #: ADDITION & ALTERATIONS
12 PROSPECT AVENUE
ARLINGTON, MA 02476

KRIKOS ARCHITECTS



A-5

REVISIONS:

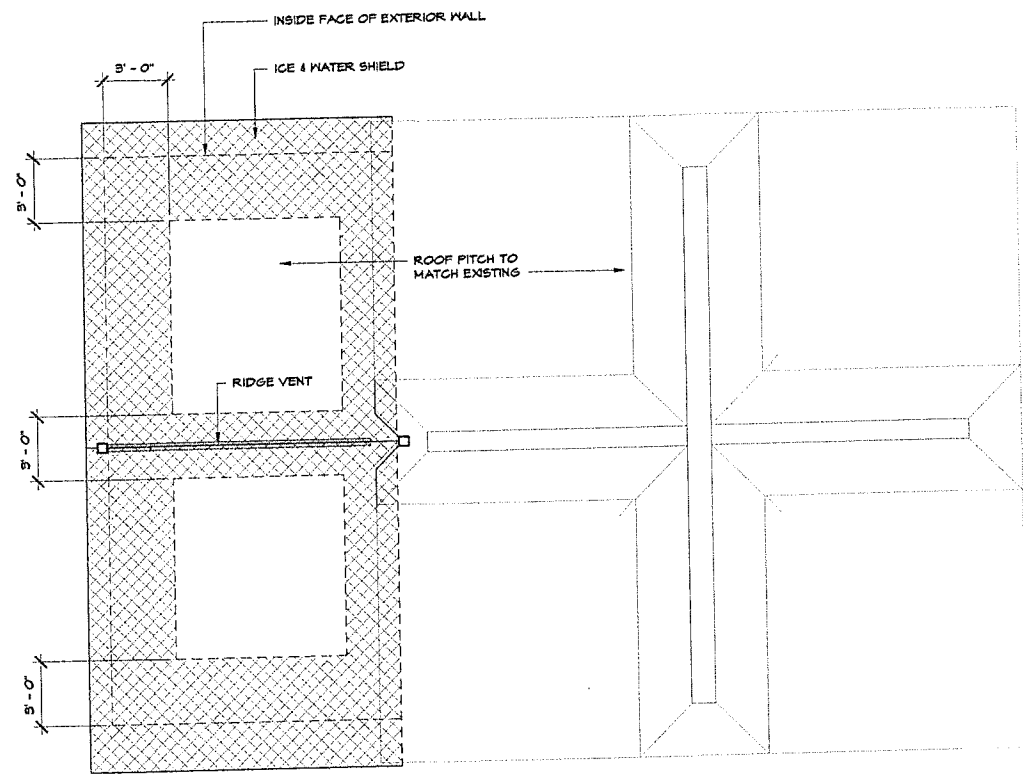
AS NOTED

CLIENT NAME: MS. ALTHEA KACHIDIS
MR. JOHN KACHIS
12 PROSPECT AVENUE
ARLINGTON, MA 02476

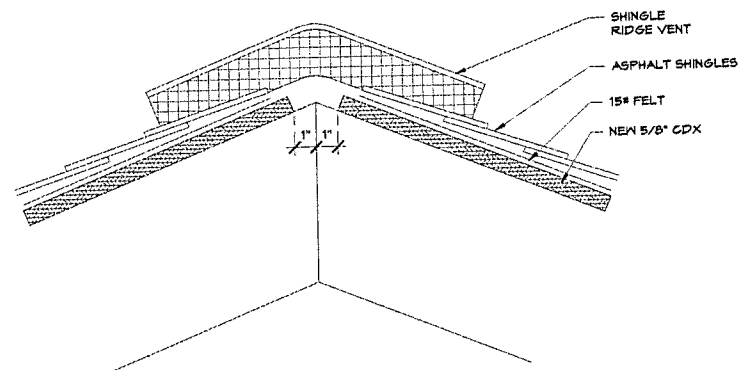
14 Olsen Road Peabody, MA 01960 (978) 631-4164
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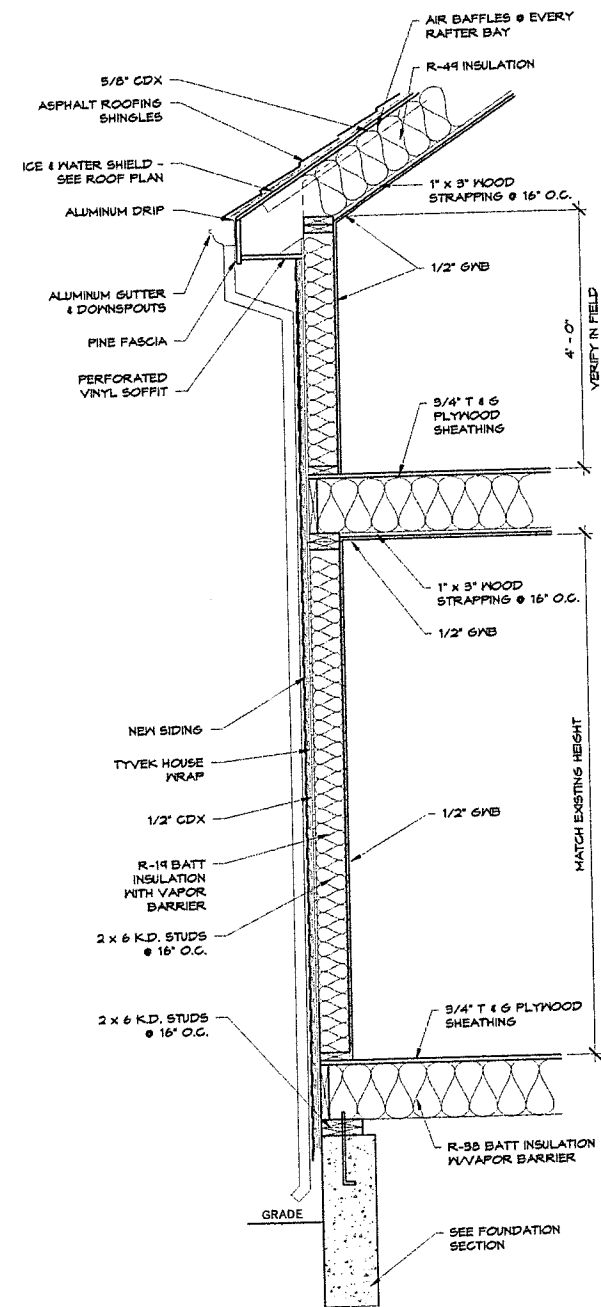
A-5



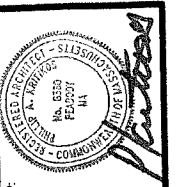
① ROOF PLAN
1/4" = 1'-0"



② RIDGE VENT
3" = 1'-0"



③ WALL SECTION
3/4" = 1'-0"

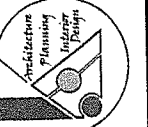


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DATE: 5-23-2022	SCALE: AS NOTED	DRAWN BY: Author

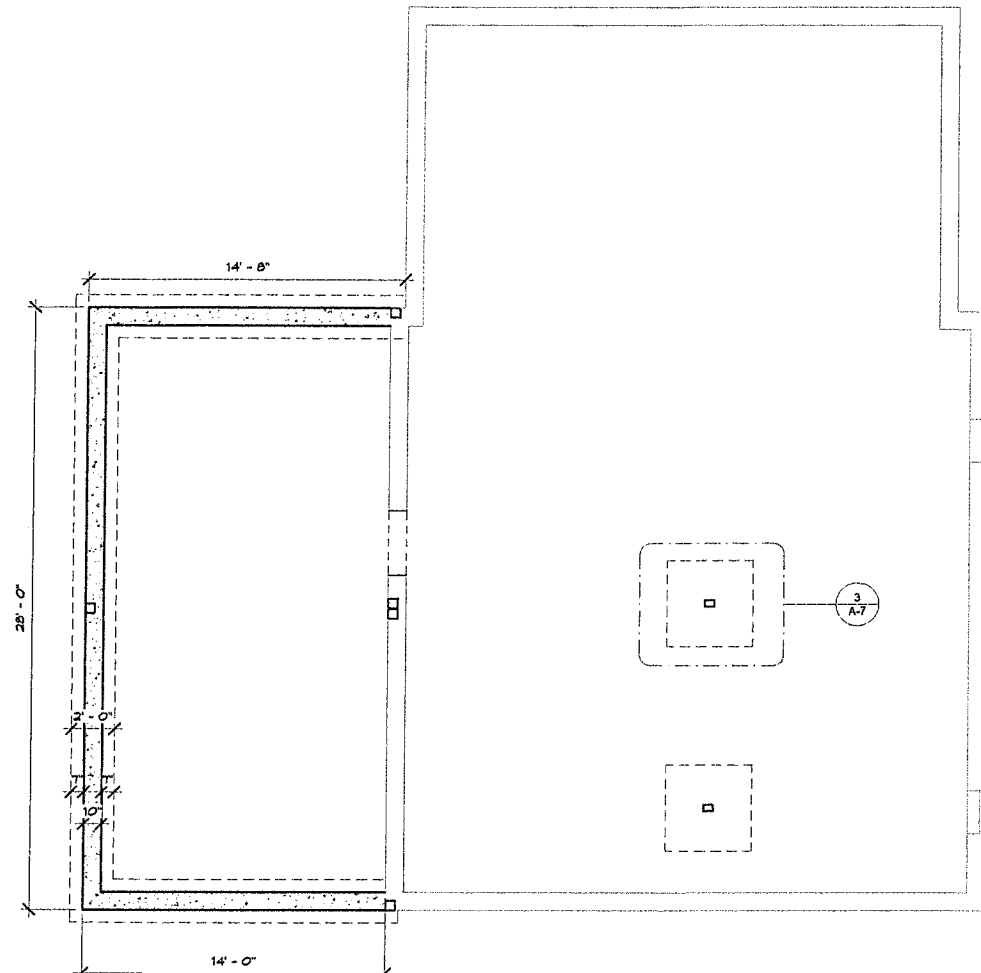
JOB TITLE: ADDITION & ALTERATIONS 13 PROSPECT AVENUE ARLINGTON, MA 02416	CLIENT NAME: MS. ALTHEA IOAKIMIDIS MR. JOHN IOAKIMIDIS 13 PROSPECT AVENUE ARLINGTON, MA 02416
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KRITIKOS ARCHITECTS

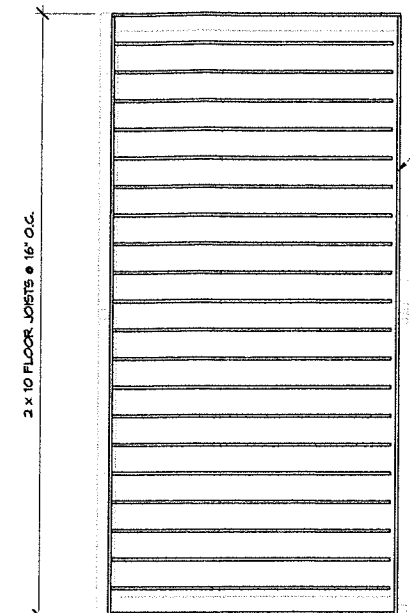
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A-6



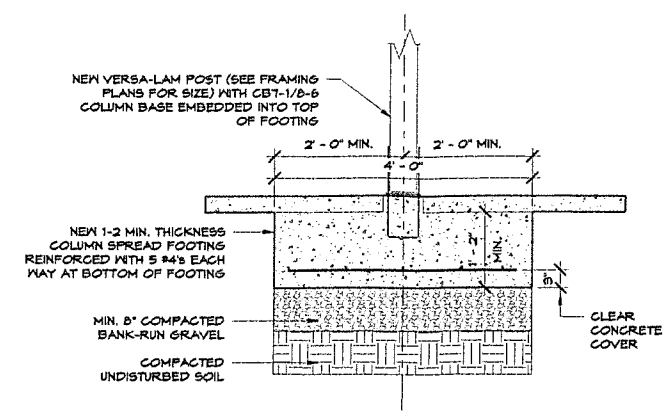
1 FOUNDATION PLAN
1/4" = 1'-0"



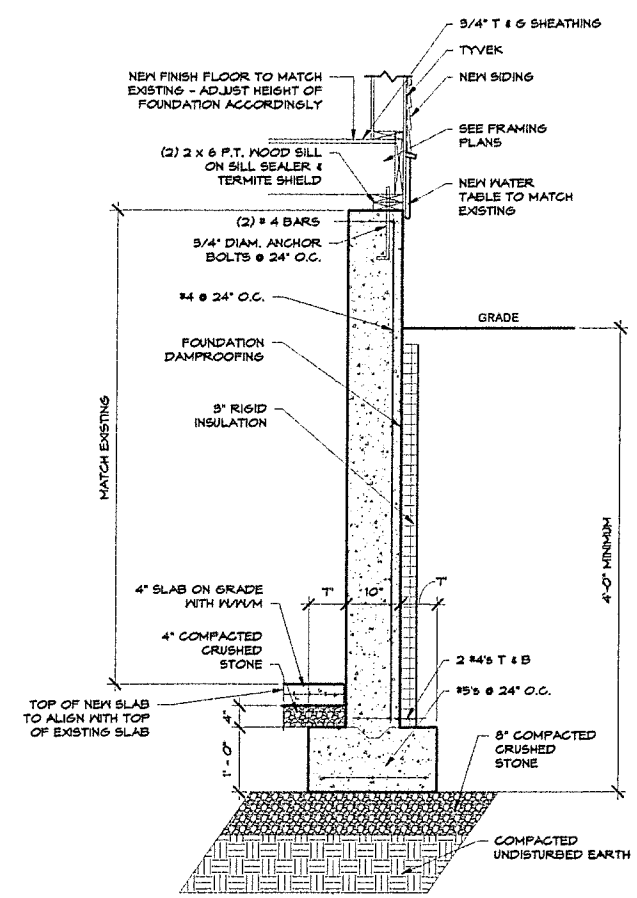
2 FIRST FLOOR FRAMING PLAN
1/4" = 1'-0"

- NOTE 1**
ALL CONCRETE WORK SHALL CONFORM TO THE BUILDING CODE REQUIREMENTS FOR REINFORCED CONCRETE (ACI 318-11) AND SPECIFICATIONS FOR STRUCTURAL CONCRETE FOR BUILDINGS (ACI 301).
- NOTE 2**
ALL CONCRETE IN FOUNDATIONS AND FOOTINGS SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 4,000 PSI AT 28 DAYS.
- NOTE 3**
ALL CONCRETE SLABS ON GRADE SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 4,000 PSI AT 28 DAYS.
- NOTE 4**
ALL CONCRETE SHALL HAVE BETWEEN 5% TO 7% AIR ENTRAINMENT AND 4" MAX. SLUMP.
- NOTE 5**
NO CONCRETE SHALL BE CAST IN WATER OR ON FROZEN GROUND.
- NOTE 6**
BACKFILL AGAINST WALLS SHALL BE PLACED ALTERNATELY ON EACH SIDE IN 12" MAXIMUM LIFTS.
- NOTE 7**
REINFORCING STEEL SHALL CONFORM TO THE FOLLOWING:
(A) ASTM 615, GRADE 60 FOR DEFORMED BARS (F_y60,000 PSI)
(B) WELDED WIRE FABRIC (WVF) REINFORCEMENT, ASTM A185
- NOTE 8**
REINFORCEMENT SHALL BE CONTINUOUS THROUGH ALL CONSTRUCTION JOINTS AS INDICATED ON THE DRAWINGS.
- NOTE 9**
WELDED WIRE FABRIC SHALL BE LAPPED 6 INCHES OR ONE SPACE, WHICHEVER IS LARGER, AND SHALL BE WIRE TOGETHER.
- NOTE 10**
ALL WORK SHALL CONFORM TO THE REQUIREMENTS OF ALL LOCAL AND STATE REGULATIONS AND BUILDING CODES.
- NOTE 11**
THE CONTRACTOR SHALL VERIFY ALL CONDITIONS IN THE FIELD AND SHALL NOTIFY THE ARCHITECT OF ANY DISCREPANCY BEFORE PROCEEDING WITH THE WORK.
- NOTE 12**
THE CONTRACTOR SHALL PROVIDE ALL NECESSARY BRACING & SHORING UNTIL ALL STRUCTURAL WORK IS COMPLETE.
- NOTE 13**
PROVIDE EXPANSION JOINT FILLER AND SEALANT WHERE FLOOR SLAB ABUTTS WALLS.
- NOTE 14**
ALL EXTERIOR FOUNDATION WALL CONSTRUCTION SHALL BE CARRIED DOWN TO A MINIMUM DEPTH OF FOUR FEET (4'-0") BELOW FINISHED EXTERIOR GRADE.
- NOTE 15**
BOTTOM ELEVATION OF FOOTING SHALL BE ADJUSTED IF NECESSARY TO BEAR ON FIRM UNDISTURBED VIRGIN MATERIAL OR ENGINEERED FILL CAPABLE OF SUPPORTING A MIN. SOIL BEARING CAPACITY OF 2,500 PSF.

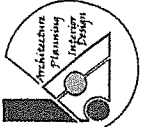
FRAMING DESIGN & SIZING
FRAMING DESIGN & MEMBER SIZES & DETAILS ARE SHOWN AS A MEANS TO PROVIDE BASIC PRICING. LUMBER SUPPLIER OR STRUCTURAL ENGINEER SHALL PROVIDE ACTUAL ENGINEERING NECESSARY



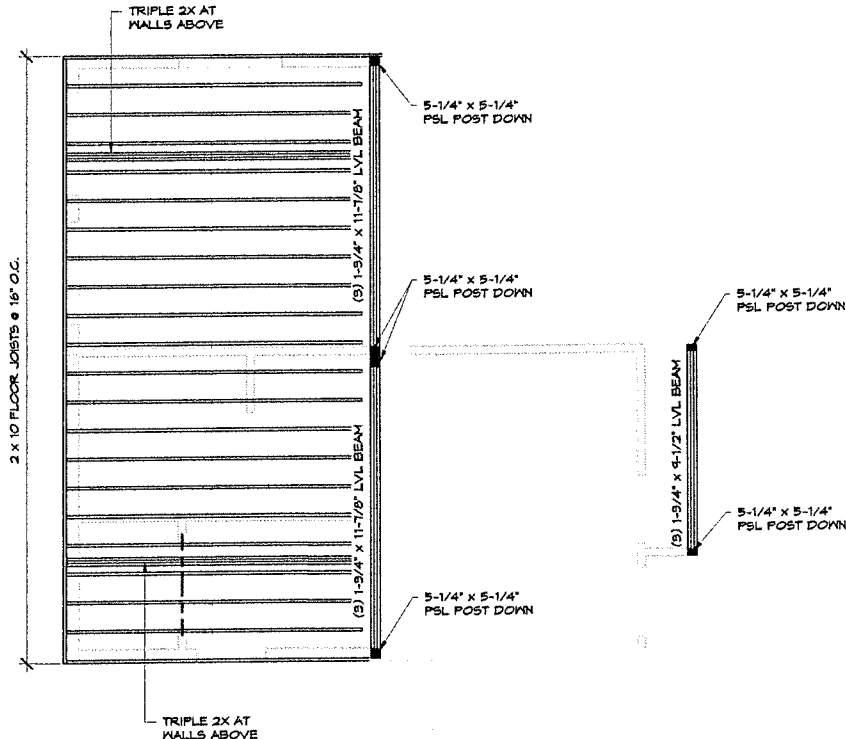
3 FOOTING @ PSL POST
3/4" = 1'-0"



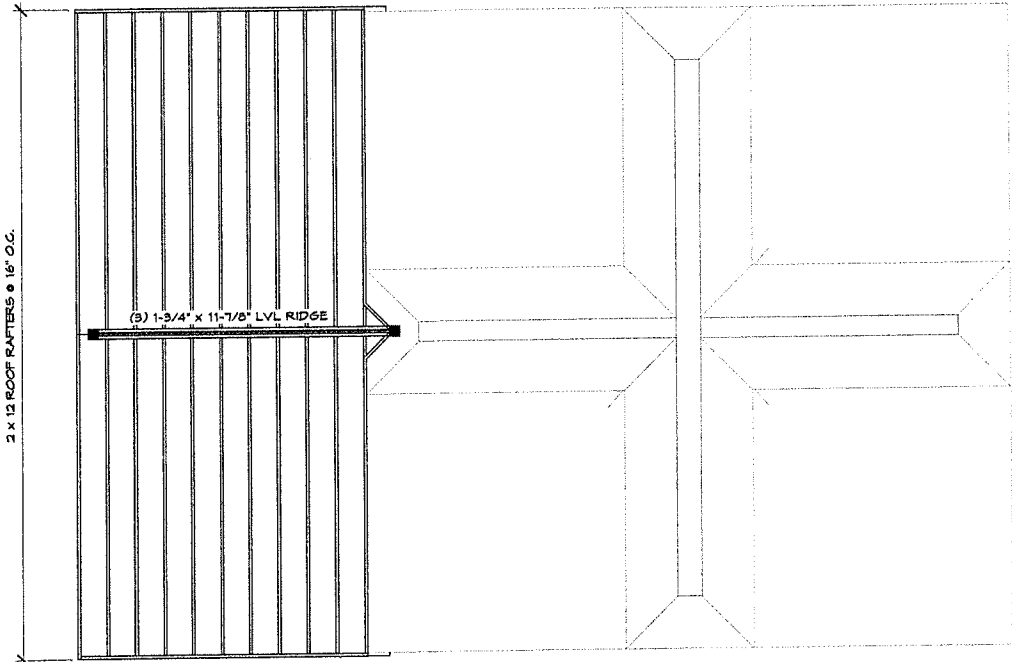
4 FOUNDATION SECTION
3/4" = 1'-0"

STAMP:	
DRAWING TITLE: FOUNDATION PLAN, FIRST FLOOR FRAMING PLAN, SECTIONS & DETAILS	REVISIONS:
DATE: 5-23-2022	SCALE: AS NOTED
	DRAWN BY: Author
JOB TITLE #: ADDITION & ALTERATIONS 12 PROSPECT AVENUE ARLINGTON, MA 02476	
CLIENT NAME: MR. ALTHEA LOAKHIDIS MR. JOHN LOAKHIDIS 12 PROSPECT AVENUE ARLINGTON, MA 02476	
KRITIKOS ARCHITECTS 14 Olsen Road Peabody, MA 01960 (978) 531-4164 E-Mail: phil@kritikosarchitects.com www.kritikosarchitects.com	
	
A-7	

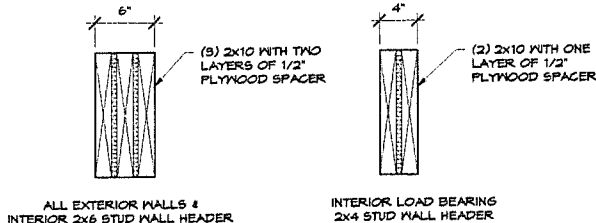
FRAMING DESIGN & SIZING
FRAMING DESIGN & MEMBER SIZES & DETAILS ARE SHOWN AS A MEANS TO PROVIDE
BASIC PRICING. LUMBER SUPPLIER OR STRUCTURAL ENGINEER SHALL PROVIDE
ACTUAL ENGINEERING NECESSARY



1 SECOND FLOOR FRAMING PLAN
1/4" = 1'-0"

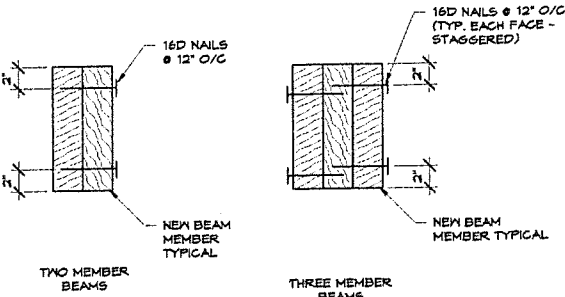


② ROOF FRAMING PLAN
1/4" = 1'-0"



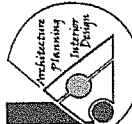
ABOVE DETAILS ARE TYPICAL AT ALL OPENINGS IN LOAD
BEARING/EXTERIOR WALLS UNLESS OTHERWISE NOTED ON
FRAMING PLANS

④ TYPICAL HEADERS:
1 1/2" = 1'-0"



⑤ TYPICAL NAILING @ BUILT-UP BEAM
1 1/2" = 1'-0" 60 of 64

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STAMP:

DRAWING TITLE: SECOND FLOOR FRAMING PLAN, ROOF
FRAMING PLAN, SECTIONS & DETAILS

DATE: 11-22-2000

REVISIONS:

AS NOTED

DRAWN BY:

PROPOSED LOT COVERAGE=20.7%

$R=1040.50'$
 $L=180.24'$

PORTION OF LOTS 15 & 16
 $A=12,188$ S.F.

PROSPECT AVENUE

SB/DH
(FOUND)

HILLSIDE AVENUE

SPIKE
(FOUND)

OWNER OF RECORD

JOHN S. IOAKIMIDIS
ALTHEA S. IOAKIMIDIS
BOOK 66414 PAGE 200 M.S.R.D.

ZONING DISTRICT

TAX MAP 161 PARCEL 5
ZONING - R1 SINGLE FAMILY

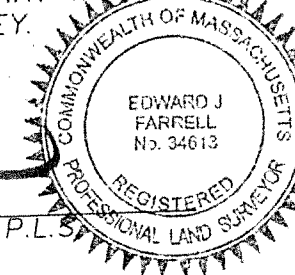
PLAN REFERENCES

PLAN BOOK 21 PLAN 3

I HEREBY CERTIFY THAT THIS PLAN IS BASED ON AN
ACTUAL FIELD SURVEY.

[Signature]

EDWARD J. FARRELL P.L.S.



5-24-22
DATE

PLOT PLAN
12 PROSPECT AVENUE
ARLINGTON, MASS.
SCALE: 1" = 20' MAY 24, 2022

Prepared By
EDWARD J. FARRELL
PROFESSIONAL LAND SURVEYOR
110 WINN STREET ~ SUITE 203 ~ WOBURN, MA.
(781)-933-9012



TOWN OF ARLINGTON
DEPARTMENT OF PLANNING and
COMMUNITY DEVELOPMENT

TOWN HALL, 730 MASSACHUSETTS AVENUE
ARLINGTON, MASSACHUSETTS 02476
TELEPHONE 781-316-3090

MEMORANDUM

To: Zoning Board of Appeals
From: Kelly Lynema, Acting Director, Dept. of Planning and Community Development
Marisa Lau, Senior Planner
Date: 8/4/2022
RE: Docket 3708 – 12 Prospect Ave; Variance under Zoning Bylaw Section 5.4.2 (Dimensional and Density Requirements)

The applicants, John and Althea Ioakimidis, seek a Variance in accordance with Section 5.4.2 (Dimensional and Density Requirements) of the Zoning Bylaw. The applicants propose to construct a two-story addition to a single-family home with an accessible bedroom, bath, mudroom with separate entry and additional living area on both floors. The front porch would also be extended by 14.5 feet. The addition would expand the building footprint into the left side yard and decrease the setback from 25 feet to 8.1 feet (10 feet required). The proposal would result in an increase in square footage from 1,800 to 2,500 square feet (+700 square feet). However, the proposed gross floor area per floor has not provided. Staff notes that if the total increase in square footage is 750 square feet or greater, a Special Permit would be needed for a large addition under Section 5.4.2(B)(6). Under the proposal, lot coverage would increase to approximately 20.7%. Staff also notes this calculation does not include the porch expansion.

The structure is in the R1 zoning district and does not have any existing nonconformities.

The following is an application of the Variance criteria (M.G.L. c. 40 §A.10):

Criterion #1: Soil Conditions, Shape, or Topography

The soil conditions, shape, or topography of the lot do not limit opportunities for expansion in a manner that conforms to the current dimensional requirements.

Criterion #2: Hardship

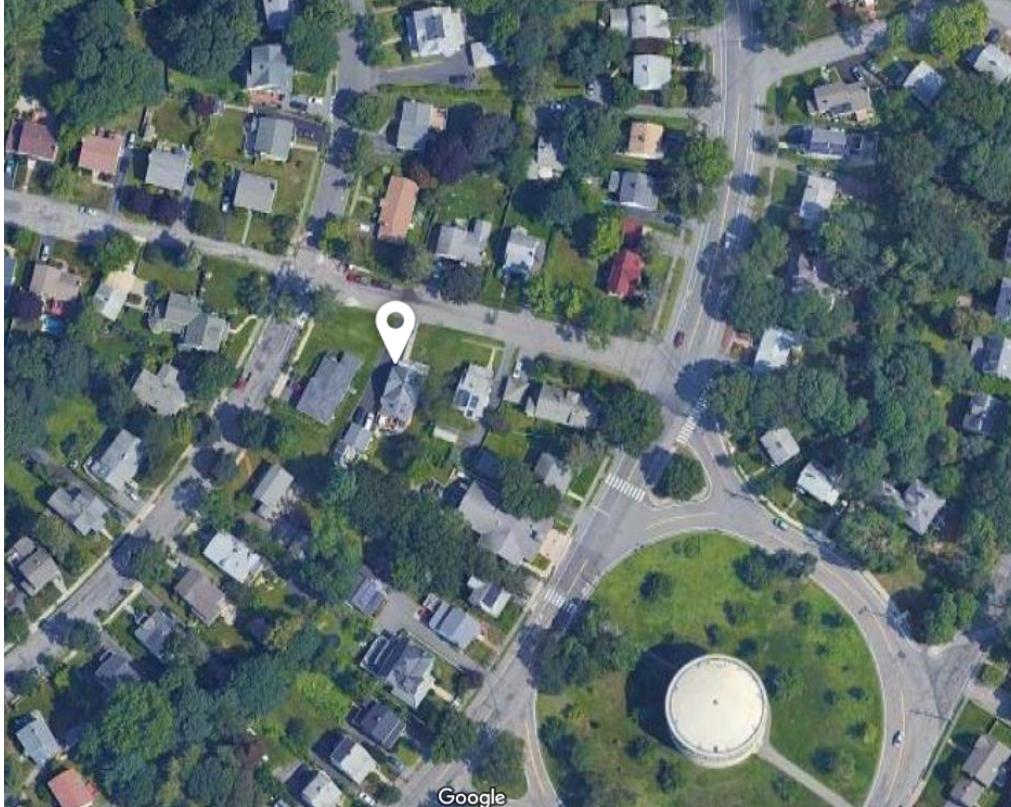
The addition would primarily benefit a family member who uses a wheelchair. Although the angled siting of the house on the lot limits opportunities for expansion into the side yards, it is likely the proposal could be revised to comply with the dimensional requirements. However, substantial modifications to the existing structure may be necessary given the need to construct additional living area that meets accessibility standards, which could be cost prohibitive.

Criterion #3: Without Substantial Detriment to the Public Good

The proposal for the addition would encroach into a portion of the left side yard setback by 1.9 feet, but would otherwise be in character with the abutting homes. This property can accommodate the addition without compromising the public good.

Criterion #4: Without Nullifying or Substantially Derogating From the Intent
This proposal is consistent with the intent of the R1 Zoning District.

Below are aerial and street-based photos of the current building:





Recommendation:

The Department of Planning and Community Development (DPCD) maintains that this proposal does not meet criterion #1. Additionally, it is unclear whether the proposal meets criterion #2. The DPCD recommends that:

- The Zoning Board of Appeals (ZBA) denies this application or works with the applicant to develop a revised proposal that is consistent with the Zoning Bylaw
- The ZBA requests that the applicant clarify the proposed gross floor area per floor to determine if the applicants need to request a Special Permit for a large addition